

SENATE

WEDNESDAY, January 5, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our heavenly Father, we recognize the hand that blesses us and we realize constantly our need of Thee so that in every crisis of life we shall find ourselves assured of Thy guidance. Help us individually to do Thy will. Help us to look out upon the world with larger promise of increasing blessings, prospering at home and abroad, so that the peoples of the earth shall receive Thy benediction. We ask in Jesus' name. Amen.

ROBERT M. LA FOLLETTE, JR., a Senator from the State of Wisconsin, appeared in his seat to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hattigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes; that the House had receded from its disagreement to the amendment of the Senate numbered 37 to the said bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

CREDENTIALS—SENATOR FROM WISCONSIN

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election of JOHN J. BLAINE, of Wisconsin, which, without objection, will be read and placed on file.

The Chief Clerk read as follows:

UNITED STATES OF AMERICA, STATE OF WISCONSIN,
Department of State, ss:

To all to whom these presents shall come, greetings:

This is to certify that on the 2d day of November, 1926, JOHN J. BLAINE was duly elected by the qualified electors of the State of Wisconsin a Senator of the United States from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1927, as appears from the certificate of the State board of canvassers on file in the office of secretary of state.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Wisconsin to be affixed. Done at the Capitol, in the city of Madison, this 30th day of November, A. D. 1926.

JOHN J. BLAINE, Governor.

By the governor:

[SEAL.]

FRED R. ZIMMERMAN,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES,

Mr. REED of Missouri. I move that the credentials be referred to the Committee on Privileges and Elections.

Mr. BORAH. Mr. President, as the term of the Senator elect from Wisconsin will not begin until the 4th of March next, I have no objection.

The VICE PRESIDENT. The question is on the motion of the Senator from Missouri that the credentials be referred to the Committee on Privileges and Elections.

The motion was agreed to.

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The VICE PRESIDENT laid before the Senate a communication from Hamilton & Hamilton, attorneys and counselors at law, transmitting, in compliance with law, the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1926, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Conduit Road Citizens Association, of Washington, D. C., favoring the appointment of William McKay Clayton to the office of people's counsel of the Public Utilities Commission of the District of Columbia, which was referred to the Committee on the District of Columbia and ordered to be printed in the Record, as follows:

CONDUIT ROAD CITIZENS ASSOCIATION,
Washington, D. C., January 4, 1927.

THE SECRETARY OF THE SENATE.

SIR: The following resolution was unanimously adopted at the December meeting of the above association:

Resolved by the Conduit Road Citizens Association, in regular meeting assembled this 30th day of December, 1926, That it hereby indorses and recommends the appointment of William McKay Clayton for the office of people's counsel on the recently created Public Utilities Commission of the District, as it believes that Mr. Clayton's knowledge of public utilities and legal training, his long experience and deep interest in these matters eminently qualify him for this position; and

Resolved further, That a copy of this indorsement be sent to the President of the United States, the Commissioners of the District of Columbia, the Secretary of the Senate, and the Federation of Citizens Associations.

Respectfully submitted.

CONDUIT ROAD CITIZENS ASSOCIATION,
By ROBERT E. ADAMS, President.

Mr. CURTIS presented petitions of sundry citizens of Emporia and Reserve, all in the State of Kansas, praying for the prompt passage of the so-called White radio bill, which were ordered to lie on the table.

Mr. WILLIS presented a petition of sundry citizens of Poland, in the State of Ohio, praying for the prompt passage of the so-called White radio bill, which was ordered to lie on the table.

Mr. CAPPER presented a petition of sundry citizens of Kansas City, in the State of Kansas, praying for the prompt passage of the so-called White radio bill, which was ordered to lie on the table.

He also presented a resolution adopted by the Marion County (Kans.) Farmers Educational and Cooperative Union, favoring the passage of the so-called Capper-Tincher bill regulating the ownership and control of independent stock yards, which was referred to the Committee on Agriculture and Forestry.

DENATURANTS IN ALCOHOL

Mr. WILLIS. Mr. President, I present a telegram relative to denaturants in alcohol, which I ask may be printed in the Record.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

CLEVELAND, OHIO, January 5, 1927.

Hon. F. B. WILLIS,

Senator from Ohio, Washington, D. C.:

In connection with present hysteria over denaturants in tax-free alcohol, we respectfully urge careful consideration of needs of legitimate industry under a 20-year-old statute, which was enacted to encourage our chemical industry. Our present formulas are based on sound scientific principles and experience over a long period. Any hasty change might have a critical effect on our production and the use of our products and their use by the industrial trade, especially nitrocellulose lacquers. We support the Treasury Department's attitude that denaturation is an industrial problem and not a prohibition question.

THE GLIDDEN CO.

GILES GORDON

Mr. PINE, from the Committee on Military Affairs, to which was referred the bill (H. R. 1129) for the relief of Giles Gordon, reported it with an amendment and submitted a report (No. 1213) thereon.

TOMBIGBEE RIVER BRIDGE

Mr. STEWART. From the Committee on Commerce I report back favorably without amendment the bill (S. 4712) granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Naheola, Ala., and I submit a report (No. 1214) thereon. I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

[S. 4712, Sixty-ninth Congress, second session]

Be it enacted, etc., That the consent of Congress is hereby granted to Meridian & Bigbee River Railway Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Tombigbee River at a point suitable to the interests of navigation at or near Naheola, Ala., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Meridian & Bigbee River Railway Co., its successors and assigns; and

any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. JONES of Washington. On behalf of the Department of Commerce I introduce a bill and ask that it be read by title and referred to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 5063) providing for the consolidation of the functions of the Department of Commerce relating to navigation, to establish load lines for American vessels, and for other purposes; to the Committee on Commerce.

By Mr. GERRY:

A bill (S. 5064) granting an increase of pension to Sarah Emma Garvin; to the Committee on Pensions.

By Mr. SACKETT:

A bill (S. 5065) granting an increase of pension to Barbara J. Ward (with accompanying papers); to the Committee on Pensions.

By Mr. PINE:

A bill (S. 5066) granting an increase of pension to Alice A. Newell (with accompanying papers); to the Committee on Pensions.

By Mr. BINGHAM:

A bill (S. 5067) to provide for the disposition of moneys collected as taxes upon articles coming into the United States from the Philippine Islands; to the Committee on Finance.

By Mr. WADSWORTH:

A bill (S. 5068) granting an increase of pension to Celynda Werner Ford; to the Committee on Pensions.

A bill (S. 5069) to amend the act entitled "An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes"; to the Committee on Military Affairs.

By Mr. SHORTRIDGE:

A bill (S. 5070) granting an increase of pension to John Sullivan; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 5071) granting an increase of pension to Maria M. Wilson (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5072) for the relief of F. J. Goodenough; and a bill (S. 5073) for the relief of Clifford J. Sanghove; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 5074) granting an increase of pension to Mary J. Paine (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 5075) authorizing a survey by the Secretary of the Interior of the Everglades of Florida to obtain information regarding the reclamation thereof; to the Committee on Irrigation and Reclamation.

PRINTING OF SENATE MANUAL

Mr. CURTIS. Mr. President, I submit a resolution, which I send to the desk, and ask unanimous consent for its immediate consideration. It is the usual resolution in regard to the printing of the Senate Manual passed at every Congress.

The resolution (S. Res. 313) was read, considered by unanimous consent, and agreed to, as follows:

Senate Resolution 313

Resolved, That the Committee on Rules be instructed to prepare a new edition of the Senate Manual, and that there be printed 2,500 copies of the same for the use of the committee, of which 300 copies shall be bound in full morocco and tagged as to contents.

ASSISTANT CLERK TO COMMITTEE ON INTERSTATE COMMERCE

Mr. GOODING submitted the following resolution (S. Res. 314), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate Resolution 314

Resolved, That Senate Resolution No. 124, agreed to April 15, 1926, authorizing the Senate Committee on Interstate Commerce to employ a special assistant clerk until the end of the Sixty-ninth Congress, to be paid out of the contingent fund of the Senate, hereby is further continued in full force and effect until June 30, 1927, inclusive.

AMERICANS' CONCESSIONS ABROAD

Mr. WHEELER. Mr. President, on December 11 a conference on Americans' concessions abroad was held in Washington under the auspices of the People's Reconstruction League at which several speeches were made containing extremely important information. The league has prepared a summary of some of these speeches, which I ask to have inserted in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

THE TREND OF INVESTMENTS

By Robert W. Dunn, author American Foreign Investments

American private interests have loaned to foreign governments, Provinces, and municipalities approximately \$4,000,000,000. These loans carry an interest rate averaging from 6½ to 7 per cent and their purposes are ostensibly for government railroad construction, public works, highways, national banks, sanitation projects, purchase of government equipment, port improvements, exchange stabilization, and general floating indebtedness.

Between \$800,000,000 and \$900,000,000 of this investment in government loans is in Canada, over \$325,000,000 in France, nearly \$300,000,000 in British bonds, over \$200,000,000 in Argentina, and so on in the following order: Belgium, Germany, Japan, Brazil, Dutch East Indies, Russia, Norway, Denmark, Australia, Netherlands, Cuba, Switzerland, Mexico, Philippines, Sweden, Poland, Chile, etc. About \$850,000,000 is invested in bonds of Latin American republics and \$1,500,000 in European countries, and a half a billion in Asia and the Orient.

Investments in loans floated by foreign corporations and by American corporations with major investments abroad, in addition to so-called direct investments by Americans abroad are now estimated at over \$7,000,000,000. Most of this investment—about \$5,000,000,000 of it—is, of course, in Canada and in Latin America, but it has been growing significantly in Europe during the last two years. Direct investments in Asia are still comparatively negligible, only a quarter of a billion thus far.

Taking the two kinds of investments together—the government loans and the corporate and direct investments—we find that out of every \$100 invested abroad by Americans, about \$70 goes to Canada and Latin-American countries; the bulk of the remainder to Europe.

It is interesting to note that government loans secured upon specific revenues, such as customs, salt, and sugar taxes and tobacco monopolies, have become the rule among the weaker countries of Europe just as they have been in the case of the Dominican Republic and other Central American States. Austria, Czechoslovakia, Hungary, Yugoslavia, Greece, Germany, Poland—all have floated this type of loan in the American market. Indeed, it seems to be the only type of security American bankers dream of floating in these days of postwar unsettlement and uncertainty. Loans of this type to the countries mentioned above now aggregate \$225,000,000. They are all 7 to 8 per cent bonds.

How far American control over the industries of such countries as Germany will go is a matter for speculation. Most of our holdings are now in the form of bonds or minority blocks of stocks. However, it is our prediction that most of these will not be repaid when they mature, and it is quite probable that they will be converted into shares which, of course, will mean complete control of the native industries involved.

When will American foreign investments recede or stop? They are now piling up at the rate of a round billion or more per annum. Some forecast that the present total of \$11,000,000,000 to \$12,000,000,000 privately invested abroad by American citizens will amount to \$50,000,000,000 within 20 years; in other words, increase at the rate of \$2,500,000,000 a year, or at a rate much higher than the present annual investment. These experts base their estimates on the need for investing a great American national surplus abroad in order to keep industry prosperous and buzzing at home. They also assume that interest rates will remain high in Europe and that no great accumulation of capital will be made there in spite of the sums now poured into her industries by American bankers.

Others feel that as Europe is "restored" and "rehabilitated" the demand for American capital will fall off and that the lower interest rates there will drive European capital to America, and that the whole position of Europe and America will be changed, with American dollars also being returned home in the form of European goods.

In any event, and no matter what the trend in Europe, it is certain that the investment of American capital in Latin America and the East is likely to increase, and that America will greatly increase her total foreign investments and her mortgage on the rest of the world.

ARE CONCESSIONS JUSTIFIED, AND SHOULD THEY BE RECORDED?

Prof. Charles Hodges, assistant director, division of oriental commerce, New York University

Though there are people who believe that imperialism ended with the Great War, this "easiest way" of nations in dealing with so-called backward countries is a force still to be reckoned with in world politics.

METHODS, NOT PURPOSES, WRONG

There is nothing "right" or "wrong" about the development of so-called backward countries by the more advanced economic powers now holding the leadership in world life. The industrial nations of to-day have no choice under the existing conditions of world life. They are obliged by economic necessity to seek sources of the raw materials upon which their very populations and industries literally feed and to secure markets wherein can be sold the products of their factories.

These rising tides of commerce, industry, and finance can not be swept back by sentimentalism, idealism, or other similar forces. The economics of modern national existence have made imperialism an inevitable part of the extension of the world's business to involve peoples everywhere under the sun. Nowadays these imperialistic processes seem to many of us to be a bad way to do a good thing—the economic development of the world will go ahead, but it ought to be possible to bring an enlightened statesmanship into play to temper the roughshod drive of nations for dominion.

In its broadest sense, a concession is nothing more or less than a contract entered into by two parties for the performance of a specified purpose on terms which have been freely entered into and designed to confer mutual advantages. Unlike undertakings to which both parties are private interests, the concession becomes an outstanding phase of modern international relations because of the inequality between the parties to such an agreement. Unless the concession is granted by one government to another government, there is an essential inequality between the parties. This is typical of the general run of rights, so that the relationship between the parties to the understanding is that of two wholly different interests—one the sovereign state subject only to the dictates of international law as a member of the community of nations, and the other the subject of another such sovereign state which itself may be involved only indirectly through its own nationals in such an undertaking.

Such a grant by the governmental authorities to another state or its nationals dealing with economic rights, privileges, or potentialities, then, is a commodity trafficked in for a variety of motives. The grantor may be either the central government itself or the local authorities of such a state. The grantee may be a foreign power directly exercising the rights and privileges of the concession, or the alien interest of such a state may be camouflaged behind an official company, such as the South Manchuria Railway Co. in China. In the case of a foreign national the grant may, by the relations such a subject enjoys with its own government, take on an essentially political character, or it may be predominantly a nonpolitical enterprise without international significance from the standpoint of diplomacy. So far as terms go, a concession may be wholly monopolistic, with exclusive rights and privileges being guaranteed it under the principle of the "closed door," so that foreign competition is strangled. The terms may be such as to establish only a quasi-monopolistic situation, marked by special rights being promised the concessionaire of a particular character, but not completely effecting a monopoly—instanced by the various concession clauses which give priority for future development to such a concession holder or promise favorable consideration of bids for future undertakings, provided they are no higher than the lowest competing offer. Such terms, finally, may be based upon the "open door," in which equality of opportunity is preserved, so far as any blanket rights of a monopolistic character or any future priorities are concerned.

CONCESSION DIPLOMACY ROOT OF EVIL

When such economic undertakings are joined with an ulterior diplomatic objective in a kind of union between the foreign office and a nation's business and finance, we have what might be termed "concession diplomacy." That is, what normally would be truly a commercial enterprise deliberately is made a part of a nation's economic diplomacy.

Therefore, concession diplomacy may be set down as the root of the evil—in Abyssinia, China, or Nicaragua. It may be described as the economic side of the political struggles of industrial nations; as a commercial undertaking in which a business proposition is made into a political deal; as a private enterprise transformed into a diplomatic stake. The foreign office, not the business man, becomes the custodian of the equities involved.

In other words, it is not the fact of business development overseas which is sinister, but the political implications put behind this economic expansion. The whole thing is tantamount to saying: We build you a railroad not as a means of transportation but as an instrument of penetration; we loan you funds not for the purpose of stabilizing public finances but with the object of securing mortgages on national

assets and circumscribing national independence; we diplomatically underwrite propositions not for legitimate commercial protection but for illegitimate political advantage.

THE CONTROL OF CONCESSION DIPLOMACY

Can concession diplomacy be controlled?

The answer to this question involves two considerations—(1) the provisions within the agreement itself; and (2) the larger external aspects of the problem or the international implications of these concessions.

As to the provisions within concessions, it is safe to say that the responsible financial undertakings to-day are characterized by a much broader understanding of the mutual interests that ought to be served than a quarter of a century ago or longer. The "safe" investment becomes the crux of the problem. The methods of securing a loan at the present time may be said to be a pretty accurate index of the status of a borrowing country. The whole problem of security is an inevitable result of the banker being merely a trustee in the allocation of funds which are not his own but which are merely mobilized through national financial machinery for profitable employment. The safeguarding clauses admittedly are designed to cover every contingency reasonably to be anticipated—repudiation by the borrowing State; invalidity, which may subsequently arise; legal difficulties, such as the effecting of changes in sovereignty on loans and concessions under international law; and the financial difficulties which may result from inadequate or ineffectively applied security, together with the possible dissipation of the proceeds of the loan without adequate control.

From the international standpoint, the control of concessions diplomacy rests upon three broad lines of development.

In the first place certain economic tendencies themselves are making for more satisfactory international conditions. The banker is tending more and more to deal with the whole question of the financial underwriting of backward countries in terms of financing not greatly different from the conditions attaching to domestic loans rather than from the old attitude which may be termed financiering at the expense of weak countries. There is the possibility of developing among investors a realization that their best interests are served through disentangling rather than entangling less advanced nations.

Secondly, there are political tendencies that well can be strengthened by an informed public opinion in the capital-exporting countries. The insistence upon the "open door," the nonmonopolistic and nonpolitical conduct of development is, perhaps, the most significant diplomatic policy now before us. The development of international cooperation in contrast to national monopoly goes hand in hand with this policy of the equality of opportunity. However much the formation of such international lending combinations, such as the new China consortium, may seem to contain an ominous power of dictating its terms or cutting off the supply of capital, it also promises to prevent the reckless competition of rival national banking interests under conditions which in the past have been wholly disastrous to the integrity of underdeveloped peoples. There is no reason why this international cooperation, alleviating much of the hazardous play of recent national financial interests should not actually be able to render greater service at lower costs through a broader spread of the risk under obviously safer conditions.

Thirdly, the development of international law itself is producing legal safeguards restricting the old play of world politics in backward countries. For instance, the Drago doctrine regarding the forcible collection of debts of creditor States from defaulting borrowing countries has found partial acceptance in The Hague Convention of 1907, which interdicted summary procedure without due process designed to give every opportunity for the amicable settlement of claims. Then, again, the Calvo clause, a provision inserted in many Latin-American concessions which requires the exhaustion of local remedies by concession holders before appealing to their respective countries for diplomatic intervention, is neither wholly rejected nor completely accepted; but it tends to prevent unfair advantage being taken of disputes over the execution of contracts. So far as special measures go, the resolution of the Washington arms conference, calling for the communication of all public and private undertakings which countries interested in the Far East intended to rely upon in protection of the interests in China marks a significant blow at secret diplomacy in the field of concessions. Fuller publicity regarding the diplomatic transactions might be extended to other storm centers. So far as interstate agreements go, the provision in the covenant of the League of Nations requiring the registration of treaties between member States or member States and nonmembers is a material step in the direction of more open diplomacy that touches upon the problem of concessions which have been made the subject of conventions between two States. Similarly other articles in the covenant, such as dealing with the integrity of the members of the league, appeals for readjustment when conditions may jeopardize peace, and the revision of the agreements which are likely to provoke international disturbances, are all part of the fuller publicity attending upon modern international relations.

Hence in the final analysis the problem of concessions, economic imperialism, and backward peoples is part and parcel of the larger

problem—the popular control of diplomacy. If democracy stops at the water's edge, like many other things in this age of nationalism, there is little use in denouncing the seamier side of world politics. International relations are what peoples nowadays want to make them. The trouble in the past has been the linking of diplomacy with perfectly legitimate economic activities—from the establishment of industrial enterprises to the stabilization of sick currencies with the subordination of sound business to hazardous political ventures. Until the peoples of nations deal with the larger aspects of foreign policy in truly democratic terms it seems to me that the whole question of the control of concession diplomacy is elusory. It is part and parcel of so much more vast a problem that it can not be detached from the greater political setting. In a word, to take the danger out of concessions is to remove the menace which attaches in a far larger degree to the whole trend of present-day diplomacy.

AMERICAN CONCESSIONS IN MEXICO

By Mr. Carlton Beals

Once more the relations between the United States and Mexico have reached an acute point. On January 1 we are menaced, according to hints in Mr. Kellogg's last note, with the possibility of a break in the relations between the two countries. This, conceivably, might lead to lifting the embargo on arms, the weakening of the present Mexican Government, and new disorder that would destroy more property, more lives, and menace the relations between the two countries. This crisis is the direct outgrowth of the existence of concessions and property investments and property steals by Americans largely during the régime of Porfirio Díaz; that is, prior to 1910. During the 30 years of the Díaz administration Americans came to own 78 per cent of the mines, 72 per cent of the smelters, 58 per cent of the oil, and 68 per cent of the rubber business in Mexico, this according to the report of that eminent authority upon Mexico, Mr. Albert B. Fall. The Mexicans owned at that time about a third of their own country; and the mass of the people were robbed of their lands. It is safe to say that within the 20 years from the beginning of the oil industry in Mexico, the American companies completely recovered their original investment. On the other hand, according to Mr. McBride, an authority upon the land-owning systems of Mexico, in his book published by the American Geographical Society, 99.8 per cent of the people of the State of Oaxaca were without property in the year 1910. The Americans holding these concessions have not benefited the people of Mexico, but have extracted the national resources for the benefit of the wealthiest and most powerful petroleum and mining companies in the United States. Among the investors of the former are men who have besmirched the name of good government in the United States, and used their money to corrupt the seats of the mighty in the Harding administration. Is it possible where these men could browbeat and bribe a weaker government than our own, that they have refrained in the past?

Since the fall of Díaz there has not been a government in Mexico, with the exception of that of bloody Huerta, which large financial and industrial interests, or both, have not attempted to coerce and browbeat and undermine; not a government left in peace and good will to work out its problems. In this nefarious propaganda our State Department has proved a ready partner. We threw our moral support to Madero's revolution, and then, when he had achieved power, harassed him at critical moments with petty claims advanced by a petty and antagonistic ambassador, with ugly notes and border mobilizations, until he had no opportunity to institute any creative reform; we permitted his government to be wrecked and supplemented by a brutal dictator supported by English capital; we proceeded to give orders to Huerta with no means of enforcing our demands, and thus strengthened him in the eyes of his people. Not satisfied with what happened to Madero, we made the same tragedy possible in the case of Carranza. We blocked every reform—land, labor, electoral, and social—and even before the Obregon régime had shown its capacity for maintaining order, we flung our battleships into Mexican waters. We have demanded time and again, on behalf of American concessions holders in Mexico, that their President should be a criminal bound not by the laws of his country but by the wishes of American politicians in Washington, whose shifting demands will, in turn, be shaped by the winds of political exigency and financial intrigue.

To-day the Coolidge administration is concerned over dubious questions of law and petroleum rights, but too short-sighted to see that the first requisite in Mexico is a stable government which will embody the will of the Mexican people to free themselves from oppression and reconstruct their national life. The present Government, which is the most serious, most stable, and most constructive since the beginning of the revolution of 1910, can be seriously hampered by the breaking off of relations; by the lifting of the embargo on arms; by filling Mexico, with the sanction of our Government, with disorder, banditry, and murder. This can not help save American property. The present Mexican Government has shown every desire to arrive at an understanding in a friendly and honorable spirit. If it is overthrown by our machinations we shall only have upon our hands a

government bitterly anti-American. No government that would suit Mr. Kellogg could survive in Mexico without the support of American bayonets. There is a principle far more important than guarding property rights and concessions, according to the narrow interpretation of those rights by Mr. Doheny and Mr. Fall, and that is the peace and happiness of two peoples, and our own honor among nations. The Mexican Government is merely trying to enforce laws necessary for the social regeneration of the country.

CONCESSIONS IN NICARAGUA

By Dr. Albert H. Putney, attorney at law and director school of political science, American University

The conflict between the parties in Nicaragua primarily rests upon the question of the United States concessions in that country. In supporting the conservative government the United States is not protecting the legitimate rights of investors of this country, but is assisting such investors in their efforts to retain control of properties which they have already sold and received their money for.

The Liberal Party when it came into power a few years ago attempted to remove the hardships arising from the control by investors of this country of the leading bank and railroad in Nicaragua by the very honest method of buying out the interests of such investors at a price which gave a good profit. A bargain was fairly entered into on both sides and the money paid.

It is now charged by the representatives of the constitutional government of Nicaragua that these investors attempted to retain control of the companies which they had sold and were assisted in such efforts by certain officials in the State Department. Finally it was charged that the Chamorro rebellion was instigated in New York City.

The constant references by the State Department to the Sacasa government in Nicaragua gives a very erroneous view of the situation in that country. The title of Sacasa to the Presidency under the constitution of Nicaragua is as clear as that of President Coolidge under the Constitution of the United States. In 1924 Doctor Sacasa was elected Vice President of Nicaragua for the term of four years, in one of the freest and fairest elections ever held in that country, and the resignation of the President raised Doctor Sacasa to that office. No fair-minded observer can doubt that he is the choice of the great majority of the inhabitants of Nicaragua; the Conservative Party, the party of Chamorro and Díaz, has not won an election in Nicaragua for 40 years, except when assisted by United States marines. Hon. Elihu Root, who is one man in the United States whom no one has ever accused of being "red" or even "pink," in a letter written while he was in the United States Senate, said that the Liberal Party "constitutes three-fourths of the inhabitants of the country."

The claim of Díaz to the Presidency rests upon an alleged election to that office by Congress. There are two vital objections to this claim—the body holding the alleged election was not the legal Congress of Nicaragua, and even the legal Congress would have had no authority to make such an election. The revolutionary forces under General Chamorro expelled the liberal members of Congress, who, together with the anti-Chamorro conservatives, constituted a majority of that body, and filled up the vacancies with conservatives without a vestige of title to such position. Even the legal Congress could not have elected a President, as there was no vacancy in that office. The illegal Congress attempted to create such a vacancy by a vote of impeachment and removal from office against Sacasa, but the power to remove from office on impeachment in Nicaragua is vested in the supreme court and not in Congress.

AMERICA'S OWN LEAGUE OF NATIONS

By Norman Thomas, director League for Industrial Democracy

Without belonging to the League of Nations the United States by its economic power is steadily asserting its authority over the life of other nations in all parts of the world. This league is not a league of equals; it has no formal covenant; it is scarcely recognized even by its makers. But it is an outstanding fact and will increase in importance for an indefinite future.

This league is created by American investments abroad through loans to foreign governments, investments in stocks and bonds in foreign corporations, and the acquisition of foreign concessions at the rate of over \$1,000,000,000 a year. The political consequences of these economic transactions vary with the strength of varying foreign states. Nowhere—not even in Canada, where United States citizens own more than British—are they negligible. In Europe such loans as that to Mussolini or the immense sums invested in Germany may have incalculable consequences.

The most obvious sense in which the United States has created a league of subordinate nations is in its relations to the Philippines and the Latin-American peoples. Here we have a genuine economic empire complicated by various emotional considerations and justifications and expressing itself in many political arrangements which may be classified somewhat as follows:

1. Ownership, as of Porto Rico, the Virgin Islands, and the Philippines. The Virgin Islands were acquired to protect the approaches to the Panama Canal and we haven't yet got around to giving them a civil government, but leave them to the tender mercies and bureaucratic absurdities of the Navy Department. To the Philippines we are in honor bound to give independence. Increasing autonomy or even ultimate political independence will be dearly purchased by the Filipinos at the price of the kind of concessions rubber magnates want—concessions, by the way, that will not greatly help American rubber users.

2. American protectorates or quasi protectorates, legalized by treaty as with Cuba, definitely established by force, as in Santo Domingo and Haiti, less definitely but none the less really established by intervention or threat of intervention, as in other Caribbean countries, notably Nicaragua. Each of these relationships differs in detail from the others; each has its own history. Cuba, "the world's sugar bowl," is economically wholly subordinate to American sugar refiners and banking interests. There is no immediate probability of intervention; the present Government representing Cuban business interests is friendly. Cuba is protected from outright annexation by the interests of our own best sugar-tariff beneficiaries who do not want her competition.

From Santo Domingo, following our wholly illegal occupation, our marines have been withdrawn at a price paid to our investors. Something of the same sort at the same price may happen in Haiti. We are back again in Nicaragua to support our old friend and puppet, Diaz, who promptly paid for recognition by sanctioning the sale of 51 per cent of stock of his country's national bank to the Guaranty Trust Co. of New York.

3. Spheres of influence not yet amounting to a protectorate. The typical case is Bolivia, where a commission of three, two appointed by American bankers, supervises the collection of customs to guarantee payments on a loan of \$33,000,000. In Salvador such an arrangement has back of it a treaty making our Supreme Court arbiter of disputes. In short, it has been stated that we dominate 21 Latin-American countries, 10 being completely under our influence. In 6 of the 10 we have American financial agents, backed by force or latent threat of force. Some special mention must be made of Mexico. It is too big to be controlled by landing of marines. It is, as we all know, constantly subject to pressure in behalf of American oil men and landlords. Such in boldest outline is our league of nations, and we have won the hatred of the people we exploit.

It would not be either wise or possible to forbid foreign investment, but we ought to get by congressional investigation more light on these investments than we now have. It might be practicable to work out a code for the restraint of international banking and the prevention of unsound and sharp practices so common in weaker countries. Most certainly we ought to work here at home for higher returns to farmers and workers so that there would not be such large profits in the hands of a fortunate class in investments abroad. We should in each individual case fight imperialism and seek justice in dealing with the Philippines, Haiti, Mexico, and the rest.

THE AMERICAN OCCUPATION OF HAITI

By Mr. Ernest Gruening, editor and writer

The American occupation of Haiti is directly traceable to a single concession. The invasion of our small, defenseless, and unoffending neighbor by the armed forces of the United States, the destruction of its more than centuries-old liberties, the killing of 3,000 peaceable Haitians, including women and children, the incidental death of a score of American boys wearing the United States uniform are due primarily to the desire of a small group of New York financiers to recoup themselves for their loss in a gamble. The venture in question is the so-called National Railroad of Haiti, a road never more than begun, over which no trains have ever been run, which, nevertheless, in consequence of a treaty imposed by "military pressure," these being the words of the admiral who imposed it, has paid the bankers 100 cents on the dollar in capital and 6 per cent interest out of the funds which those same bankers forced the Government of Haiti to borrow from them. To make this possible the United States Navy, Marine Corps, and State Department have worked diligently and at the expense of the American taxpayer. This is not a question of opinion but of fact, verifiable by anyone who cares to investigate. It constitutes a complete violation of fundamental American principles and is a gross and total violation of the spirit and letter of the immortal doctrine of President Monroe, which is often invoked to justify the proceedings of the American officeholders who are responsible. In reality it is a betrayal of the American people, to whom the facts have been misrepresented, when they could not be concealed, by official propaganda.

AMERICAN CONCESSIONS IN THE PHILIPPINES

By Mr. M. P. Lichauce, author *American's Conquest of the Philippines*

Strictly speaking, there are really no concessions granted to Americans as such in the Philippines. The Congress of the United States

has, in a practical sense, complete authority and control regarding the regulation of Philippine land laws, and in 1902 it provided that future holdings were to be limited to 2,500 acres for any individual or corporation. This restriction was made applicable to Filipinos as well as Americans, and was undoubtedly a wise provision to prevent the concentration of large holdings in the hands of a few. In 1914 the regulation of these Philippine land laws was turned over to the then newly created Philippine Legislature. In 1916 one American succeeded in inducing the Filipinos to grant his concern certain desirable concessions, but since then the legislature has been wise enough to refrain from making any exceptions to the prevailing restrictions. The recent interest in large-scale rubber growing, however, has resulted in an agitation to make Congress change the present restrictions, inasmuch as the Filipinos continue to refuse to let any corporation, Filipino as well as American, own more than 2,500 and lease an additional 2,500 acres. These limited holdings, it must be added, have been shown to be ample for profitable investment. But American capitalists want authority to lease or purchase hundreds of thousands of acres. The ultimate decision will rest on the American Congress.

CHINA AND CONCESSIONS

By Dr. C. Kuangson Young, secretary, the Chinese Legation

It is pleasant to note that the conference on causes and cure of war has adopted a resolution that the United States should revise treaties with China on the basis of equality, which will doubtless be approved by the American people and their Government.

A concrete example of China's determination to carry out her desire to terminate unequal treaties is the recent termination by China of the Sin-Belgian commercial treaty of 1865 was given. All these unequal treaties grant unilaterally to the other powers consular jurisdiction of their nations in China, control and limitation upon China's customs tariff and administration, and most-favored nation treatment. These treaties have in a large measure prevented China's national growth and struggle to maintain a stable republican form of government.

These rights could be termed the political concessions the treaty powers are now holding in China—the word "concessions" here is being used in the broad sense. To a considerable extent, however, these political concessions are also economic in nature. Nothing needs to be said as to the economic character of the tariff limitation and control. Furthermore, extraterritoriality also has its economic factors; for a clear example we may cite the exemption of the extraterritorial nations from local taxation.

In the usual and narrow sense, the term "concessions" includes those with respect to railway construction, navigation, and development of natural resources like mining, forestry, etc. These have been often classified as economic concessions because their primary object is economical; and yet we need hardly point out the vast political importance which is attached to them.

Many of these concessions are made as direct contracts between government and government. In some cases they are made to private concerns; in others made to private concerns with express government cognizance.

As to the purely economic concessions, China does and will recognize those that have been legitimately acquired.

China's position, as made clear at the Washington conference, was well stated by Dr. Sao-Ke Alfred Sze, the chief of the Chinese delegation. He said:

"The Chinese Government, conscious of the mutual advantage which foreign trade brings, has hitherto pursued an established policy to promote its development. Of this trade, products of nature, of course, form an important part. In view of this fact, as well as of the requirements of her large and increasing population and the growing needs of her industries, China, on her part, has been steadily encouraging the development of her natural resources, not only by permitting, under her laws, the participation of foreign capital but also by other practical means at her disposal. * * *

"Consistent with the vital interests of the Chinese nation and the security of its economic life, China will continue, on her own accord, to invite cooperation of foreign capital and skill in the development of her natural resources."

CONCESSIONS IN CHINA

By Rev. James M. Yard, D. D., representative in America of the West China Union University

America is interested in the international concession at Shanghai and has a good share in its government since Mr. Stirling Fessenden is chairman of the municipal council. During the disturbance of May 30, 1925, 13 out of the 20 men of war in the Shanghai Harbor were American, and American marines were stationed in the most conspicuous places in the city.

America's further interest in China is contained in her loans and investments in Shanghai and other places amounting to \$60,000,000. This includes investments in business, loans to railroads and to the Chinese Government.

American gunboats patrol the Yangtze River as far as Chungking—1,500 miles from Shanghai. There are also American regulars at Tientsin and marines in the legation guard at Peking. The Chinese greatly resent all this display of military force.

The American chambers of commerce in China have consistently urged the Government to take a strong stand and have asked for more gunboats for the upper Yangtze. Six are now being built. All such plans are out of date. Hereafter both missionaries and business men must go to China "at their own adventure" or stay at home.

It is poor business, to say nothing of diplomacy, to antagonize the nation that is destined to be the greatest power in Asia. This is an hour for vision and courage in our State Department.

We ought to understand that what is happening in China is not due to a revival of superstition. China is not antiforeign in the old sense of the term. She is antiforeign domination. She is determined to be free and looks forward to the day when, as in the past, she shall take the place that is due her as the largest, richest, and most populous nation in the Far East. The present movement in China is due to the fact that she is in the throes of a tremendous intellectual, moral, and industrial renaissance. She has been aroused by unjust treatment on the part of the powers by the awakening minds of her students, thousands of whom have studied abroad, and by the new ideas which have flooded her from men like Darwin, Spencer, Huxley, Wells, Dewey, and Bertrand Russell. Understanding, appreciation, and friendship will carry us far in our effort to cooperate with China during the next generation. Threats, scorn, and military force will be worse than useless.

CONCESSIONS IN RUSSIA

Excerpts from an address by Elias Tobenkin

That Russia's 100,000,000 peasants are as tired of utopian dreams of world revolution at the close of 1926 as they were of "divine right" rule at the close of 1916, just before the overthrow of the czar; that they are clamoring for a policy of reconciliation and of friendship with the rest of the world; and that Joseph Stalin, the man at the helm in Russia to-day, comes nearest of any Russian statesman to understanding the clamor of the peasantry and to attempt to give it what it wants—were assertions made by Elias Tobenkin, writer and sociologist, in an address before the conference of the People's Reconstruction League on Americans' Concessions Abroad last night. Mr. Tobenkin has just returned from Russia.

"The Russian peasant," Mr. Tobenkin said, "has forgotten that there ever was a czar in Russia, and wants to forget as quickly as possible that there ever was a revolution. He wants government and economics in Russia to take a normal progressive course. He got his land and relief from certain burdensome taxation and now wants peace and the opportunity to work his land undisturbed and profitably."

"M. Stalin," Mr. Tobenkin said, "is better informed on the peasant situation than any other Soviet leader, because, as head of the Communist Party, he comes in touch with 5,000 secretaries of the party in every section of Russia." These secretaries are his "lookout" men. They report to him the state of mind in the rural classes, and Stalin is guided in his policies by these reports.

"Russia's ailment," Mr. Tobenkin said, "can be diagnosed briefly. The country needs more goods, better goods, cheaper goods. There exists in Russia to-day a 50 per cent difference between the amount of goods the Soviet Government, as the sole producer and wholesale distributor, is able to muster up and the minimum amount that the Russian masses—the Russian peasantry—are clamoring for."

Mr. Tobenkin said "that the shortage of manufactured goods in Russia is responsible for the vigor with which the Soviet Government is pushing its concessions policy in the principal financial centers of the world."

"Soviet leaders realize," he said, "that with their own resources they will not be able to bring Russia up to the standard prevailing in other countries for at least 60 years yet. Russia to-day has 30 per cent fewer factories than before the war. Her textile centers are now a part of Poland and Latvia. Finland and Estonia, now functioning as separate Republics, were manufacturing areas of no mean proportions until overcome. There is another more important drawback."

"Even when she was in possession of these large industrial centers Russia in the past has never succeeded in running her industries without the aid of foreign capital. Fifty per cent of Russian industry, of her banks, her commerce under the Czar was controlled by foreigners. Stalin figured out recently that just before the outbreak of the World War, Russia owed 6,000,000,000 rubles to foreign countries, a large part of which went to bolster up her industries. Left to its own resources, industry in Russia can only grow very slowly, while the Russian peasant is clamoring for goods as never before."

"The peasant," Mr. Tobenkin said, "has gone forward more than a hundred years since the World War. He now understands the relation between his life and politics. Millions of young Russians have been to other countries during the World War. The peasant knows

what radio is. He has seen airplanes. His demands have increased by one-third."

"The concession policy of the Soviets," Mr. Tobenkin said, "has been in existence since 1921. A total of 1,500 inquiries for concessions had come in during that time, and the number of contracts with foreign capitalists signed was 110. Of these concessions, some had expired, some were abrogated, and 88 are operating. They come from all countries of Europe and the Orient. The amount of capital foreign concessionaires have put into Soviet industries is estimated at 85,000,000 rubles. The combined total credit which the Soviet Government has thus far been able to command abroad is still below the figure of 400,000,000 rubles—a far cry from the 6,000,000,000 rubles which figured in Russian industry under the Czars."

"The Council of People's Commissars," Mr. Tobenkin said, "has adopted a number of laws and regulations in recent months making the path of foreign concessionaires much more easy than it has been in the past. There is an effort to conciliate foreign capital. The Soviet leaders are willing to give every guaranty for the safety of foreign investments short of violating the basic law of their constitution with regard to private property. A concessionaire in Russia may have every privilege for the exploitation of Russian resources for a stipulated time, usually up to 35 years. But he can never own property in Russia, the sole owner of property in Russia by virtue of the Soviet constitution being the State."

In its appeal for foreign investments the Soviet Government is frankly monopolistic, Mr. Tobenkin said. It does not want small concerns to come to Russia. Russian industries are operated as Government-owned monopolies through the medium of trusts and syndicates. Her natural resources are measured by the same monopolistic scale. There are a number of concessions in oil, coal, and graphite, which would give the companies to whom they are awarded complete monopoly in their respective fields. The Soviet Government is on the lookout, therefore, for such financial interests as are in a position to operate in Russia on a large scale and over a period of years.

Three kinds of concessions are included in the immediate plans of the Soviet Government for attracting foreign capital—"commercial," "productive," and "technical aid" concessions. The enormity of the home market is stressed. Russia needs manufactured articles from thimbles to electric fixtures and radios. For these it is willing to let foreign companies establish factories in Russia or to give them the right to bring in goods from abroad and to establish in Russia wholesale enterprises for their distribution throughout the country.

Under "productive concessions" the Russian Government has in mind the reequipping of Russia's old factories, mines, and mills, and the building of new ones. Russia's vast stocks of raw materials will pay for that, according to Soviet plans.

The "technical aid" group of concessions is in effect an offer by the Soviet Government to exchange Russian markets for foreign patents. The Soviet Government will grant certain foreign companies the right to establish factories in Russia and manufacture and sell their products there. At the expiration of the concession limit, however, all of the plans, patents, drawings, maps, and technical information of every sort connected with the business must revert to the Soviet Government.

The business relationship between the Soviet Government and the foreign concessionaire may take one of three forms. The company is either given a "clear concession," which means that it pays a certain tax to the government on all its profits. This is generally employed in commercial concessions. In concessions of the second and third group either a joint-stock company is formed or an outright partnership with the Soviet Government is entered into.

All of the capital invested by the concessionaire becomes property of the Soviet Government at the expiration of his concession period, an arrangement having been made for its amortization during these years. In the matter of employment, strikes, and wages the foreign concessionaire is guided by the same laws as the Russian employer.

MATERNITY AND INFANT HYGIENE

The VICE PRESIDENT. Morning business is closed.

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 739, the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

Mr. BINGHAM. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Borah	Capper	Curtis
Bayard	Broussard	Caraway	Dale
Bingham	Bruce	Copeland	Deneen
Blaise	Cameron	Couzens	Dill

Edge	Hawes	Norbeck	Shortridge
Edwards	Heflin	Norris	Smoot
Ferris	Howell	Nye	Steck
Fess	Johnson	Oddie	Stephens
Fletcher	Jones, Wash.	Overman	Stewart
Frazier	Kendrick	Pepper	Swanson
George	Keyes	Phipps	Trammell
Gerry	King	Pine	Tyson
Gillett	La Follette	Pittman	Wadsworth
Glass	Lenroot	Ransdell	Walsh, Mass.
Goff	McKellar	Reed, Mo.	Walsh, Mont.
Gooding	McLean	Reed, Pa.	Warren
Gould	McMaster	Robinson, Ark.	Watson
Greene	McNary	Robinson, Ind.	Wheeler
Hale	Mayfield	Sackett	Willis
Harreld	Metcalf	Sheppard	
Harris	Neely	Shipstead	

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Texas that the Senate proceed to the consideration of House bill 7555, the maternity and infancy bill.

Mr. REED of Missouri. Mr. President, I wish to ask the Senator from Oregon [Mr. McNary] a question before this matter is taken up. Has the Committee on Agriculture and Forestry prepared an agricultural bill?

Mr. McNARY. In the nature of farm relief?

Mr. REED of Missouri. Yes.

Mr. McNARY. No. I have offered one for the consideration and study of the committee, but the committee up to this time has not had an opportunity to take it up for consideration.

Mr. REED of Missouri. There are left, as I roughly estimate it, only something like 50 working days of this session. My question is not intended to be in the nature of a criticism.

Mr. JONES of Washington. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Washington will state the point of order.

Mr. JONES of Washington. My point of order is that the motion pending is not debatable.

Mr. REED of Missouri. I am not debating it.

Mr. JONES of Washington. The question is on agreeing to the motion, and I think we are entitled to a vote upon it.

Mr. REED of Missouri. That is technically true; but the courtesy of asking a question is very seldom denied a Senator. I am not undertaking to do more than get some light.

Mr. JONES of Washington. There is nothing to prevent the Senator from asking the question after the motion is voted on.

Mr. REED of Missouri. Of course, the Senator is right; but if he thinks he will gain any time on his bill by that sort of tactics, I say to him very pleasantly that he will not.

Mr. JONES of Washington. Of course, I do not expect to gain any time on the bill from the Senator from Missouri, because I know he is opposed to it.

Mr. REED of Missouri. Exactly; but there are two or three different ways of being opposed to a measure.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

Mr. BINGHAM. I move as a substitute for the motion of the Senator from Texas that the Senate proceed to the consideration of Calendar No. 1028.

Mr. JONES of Washington. That motion is not in order.

Mr. WILLIS. I make the point of order against it.

The VICE PRESIDENT. The point of order is well taken. The question is on the motion of the Senator from Texas [Mr. SHEPPARD].

Mr. BRUCE and Mr. REED of Missouri demanded the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. OVERMAN (when the name of Mr. SIMMONS was called). I desire to announce that my colleague [Mr. SIMMONS] is absent on account of illness. I will let this notice stand for the day.

Mr. STEPHENS (when his name was called). On this vote I have a pair with the Senator from Colorado [Mr. MEANS], and, therefore, withhold my vote.

The roll call was concluded.

Mr. FLETCHER. I have a general pair with the Senator from Delaware [Mr. DU PONT]. Not knowing how he would vote, if present, I transfer that pair to the Senator from Mississippi [Mr. HARRISON] and vote "yea."

Mr. GILLETT (after having voted in the negative). I have a general pair with the Senator from Alabama [Mr. UNDERWOOD]. I do not know how he would vote, if present, so I transfer my pair to the Senator from Maryland [Mr. WELLER], and will let my vote stand.

Mr. HARRELD. The Senator from North Carolina [Mr. SIMMONS], with whom I am paired, is not present; so I will refrain from voting.

Mr. BAYARD. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is necessarily absent on official business.

Mr. JONES of Washington. I wish to announce that the Senator from Kentucky [Mr. ERNST] is detained from the Chamber on official business. If present, he would vote "yea."

I desire also to announce the general pair of the Senator from Minnesota [Mr. SCHALL] with the Senator from New Mexico [Mr. BRATTON].

The result was announced—yeas 56, nays 20, as follows:

YEAS—56

Ashurst	Gooding	McLean	Robinson, Ind.
Cameron	Gould	McMaster	Sackett
Capper	Hale	McNary	Sheppard
Copeland	Harris	Mayfield	Shipstead
Couzens	Hawes	Neely	Shortridge
Curtis	Heflin	Norbeck	Smoot
Dale	Howell	Norris	Steck
Deneen	Johnson	Nye	Stewart
Dill	Jones, Wash.	Oddie	Trammell
Ferris	Kendrick	Overman	Tyson
Fess	Keyes	Pine	Walsh, Mont.
Fletcher	La Follette	Pittman	Watson
Frazier	Lenroot	Ransdell	Wheeler
Goff	McKellar	Robinson, Ark.	Willis

NAYS—20

Bayard	Edge	King	Reed, Pa.
Bingham	Edwards	Metcalf	Swanson
Blease	Gillett	Pepper	Wadsworth
Broussard	Glass	Phipps	Walsh, Mass.
Bruce	Greene	Reed, Mo.	Warren

NOT VOTING—19

Borah	George	Means	Stanfield
Bratton	Gerry	Moses	Stephens
Caraway	Harreld	Schall	Underwood
du Pont	Harrison	Simmons	Weller
Ernst	Jones, N. Mex.	Smith	

So Mr. SHEPPARD's motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, which had been reported from the Committee on Education and Labor with amendments.

Mr. PHIPPS. Mr. President, some time since I received a telegram from the secretary of the American Medical Association, with offices in Chicago, referring to the proposed legislation now pending before the Senate, and I desire to have the telegram read from the desk.

The VICE PRESIDENT. Without objection, the telegram will be read.

The telegram was read, as follows:

CHICAGO, ILL., December 13, 1926.

HON. LAWRENCE C. PHIPPS,

United States Senate, Washington, D. C.:

The American Medical Association, with a membership of more than 90,000 physicians, protests against any extension of the Sheppard-Towner Act. To get Federal bonus a State must appropriate money. To appropriate money State taxes must be increased or funds withdrawn from other State activities. The act therefore invites limitation of State sanitary activities in fields except that named in act. No evidence has yet been produced to show that act has prevented sickness or death or that it has increased total appropriations for sanitary purposes over what would have been normally appropriated.

AMERICAN MEDICAL ASSOCIATION,
By OLIN WEST, Secretary.

The VICE PRESIDENT. The telegram will lie on the table.

Mr. PHIPPS. The American Medical Association also adopted a resolution which I send to the desk and ask to have read.

The VICE PRESIDENT. The resolution will be read.

The resolution was read, as follows:

Resolution passed by the American Medical Association with respect to the Sheppard-Towner Act May 23, 1922

Whereas the Sheppard-Towner law is a product of political expediency and is not in the interest of the public welfare; and

Whereas the Sheppard-Towner law is an imported socialistic scheme unsuited to our form of government; and

Whereas the Sheppard-Towner law unjustly and inequitably taxes the people of some of the States for the benefit of the people of other States for purposes which are lawful charges only for the people of the said other States; and

Whereas the Sheppard-Towner law does not become operative in the various States until the States themselves have passed enabling legislation: Therefore be it

Resolved, That the American Medical Association disapprove the Sheppard-Towner Act as a type of undesirable legislation which should be discouraged. (36.)

The VICE PRESIDENT. The resolution will lie on the table.

Mr. PHIPPS. Mr. President, under date of May 3 your Committee on Education and Labor made a report on the bill which is now before the Senate, and, while the bill has been under discussion heretofore, the report has not been read. I think it should be read for the information of Senators, and I ask that that may be done.

The VICE PRESIDENT. Is there objection? Without objection the report will be read.

The legislative clerk read the report (No. 745) submitted by Mr. PHIPPS on May 3, 1926, as follows:

The Committee on Education and Labor, to whom was referred the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, having considered the same, report thereon with amendments and recommend that as amended the bill do pass.

The principal object of the original maternity and infancy act was to assist to lower infant mortality and maternity death rates in the United States through the aid of a Federal bureau, which should carry on proper research work and disseminate helpful knowledge on this subject to the citizens of the several States. As a temporary portion of this general program and to encourage the States to take direct charge of such work within their boundaries there was authorized, for a period of five years, an annual appropriation of \$240,000 to be equally apportioned among the States, and an additional sum of \$1,000,000 annually to be distributed at the rate of \$5,000 to each State, plus an amount proportional to its population. In order to obtain the latter funds each State is required to appropriate an equal amount to be used for similar purposes.

It will be noted that such annual appropriations were strictly limited to a five-year period, and the present bill, as it passed the House, would extend the time for an additional two years or, in other words, for the fiscal years ending June 30, 1928, and June 30, 1929.

Your committee's amendment is to strike out the words "for the period of seven years" appearing in lines 8 and 9 of the bill, and to insert in lieu thereof the words "for the period of six years," and to amend the title accordingly. It will be noted that this amendment would authorize such appropriations for Federal maternity aid for only one additional year, instead of two, as proposed by the House.

Five States—Connecticut, Illinois, Kansas, Maine, and Massachusetts—have steadfastly refused to accept such funds from the Federal Government. It would seem that no permanent policy should be adopted by Congress whereby States who do not share in the benefits of such an appropriation would be required to contribute indefinitely to same.

The progress of this important work in the several States has been set forth in full in the hearings before the House Committee on Interstate and Foreign Commerce, and in that committee's report on the pending bill, being Report No. 575, Sixty-ninth Congress, first session.

The data furnished in the hearings and report need not be repeated here, as your committee does not question the good which has been accomplished. It is sufficient to add that the committee has given the entire subject sympathetic consideration, as it is one which properly appeals to the highest emotions of mankind.

However, in suggesting its amendment, your committee believes that the very fact that the attempt to meet this problem through Government aid has met with response in 43 States justifies Congress in taking cognizance of the original five-year limitation and of the general thought then in the minds of legislators, namely, that the work of the bureau was to be educational and inspirational in order to lead the States to appreciate the value of such State activities and to undertake them, within a short period of time, entirely at the State's expense. Certainly it was not thought then that such financial aid would become a permanent function of the Federal Government or that such Federal appropriations should be continued indefinitely from year to year.

Your committee feels, therefore, that a definite date for the discontinuance of such aid should now be established, that the question should be decided at this time in order that State legislatures may arrange their budgets accordingly and make plans to continue the entire work at their own expense. It has been strongly argued, however, that there should be no abrupt termination of Federal aid, especially as State legislatures do not meet every year, and the committee recognizes this fact in its amendment, making the effective date of such termination June 30, 1928. As the bill will doubtless be acted upon during the present session of Congress, notice of more than two years would thereby be given to the States as to the fulfillment of the Government's part of the program, in so far as financial aid is concerned; and this should certainly prove sufficient for the purpose.

It should be unnecessary to advance arguments to show that the policy of the Federal Government in this regard should not be indefinitely continued, and that a time limit should now be fixed. The following facts, however, might properly be borne in mind:

1. The original purpose and intent of Congress to encourage the States to take up this important work is rapidly approaching fulfillment, if indeed that time has not already come. It is conceded that the experiment or demonstration has been a success, and that many States have established the necessary machinery which is now functioning properly and adequately, even where they have declined to accept Federal aid.

2. It is also generally admitted that this work as conducted in the several States is strictly a local function. They should therefore be encouraged to stand on their own feet rather than to lean upon the central Government, thus tending to impair the prestige, power, and sovereignty of local self-government. As already indicated, the very object of granting such Federal aid fails if the States, instead of learning to take care of matters connected with maternity and infancy through their own efforts, grow to be dependent upon Washington for this purpose.

3. The enactment of the pending bill, with the committee's amendment, and the fixing of a definite time for the cessation of Federal aid, will have no direct effect upon the infancy and maternity work conducted by the Children's Bureau and the Women's Bureau in the Department of Labor in Washington. In other words, the bill only refers to Federal aid to the several States. When this aid is discontinued there will still exist these governmental agencies in Washington which will proceed with their important research work, issue pamphlets, and be a general clearing house of information on this subject in order to aid the people of the United States.

Mr. PHIPPS. Mr. President, the American Medical Association Bulletin of May, 1926, carried a very able article by William C. Woodward, its executive secretary. I think that article should be read for the information of the Senate.

The VICE PRESIDENT. Without objection, the article will be read.

The legislative clerk read as follows:

THE SHEPPARD-TOWNER ACT—ITS PROPOSED EXTENSION AND PROPOSED REPEAL

William C. Woodward, executive secretary, bureau of legal medicine and legislation of the American Medical Association, Chicago

The term "Sheppard-Towner Act" is the popular designation for "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921. Exactly six months after the approval of this act the house of delegates of the American Medical Association adopted a resolution condemning it as "a type of undesirable legislation which should be discouraged." The act itself authorized appropriations to carry it into effect until June 30, 1927. If appropriations are to be made to carry it into effect after that date, it is necessary for the guidance of the Federal Budget makers and of the several State legislatures meeting in January, 1927, that legislation to that end be enacted at the present session of Congress. Bills for that purpose were introduced into the Senate and the House of Representatives, as reported in the Journal (Protest the Sheppard-Towner Act, J. A. M. A. 86:421 (February 6), 1926) at that time, authorizing appropriations for two additional years. The bill introduced into the House was passed. In the Senate the Committee on Education and Labor has recommended the passage of the House bill, but recommended that the period of the proposed extension be reduced from two years to one and that a definite date for the discontinuance of aid under the Sheppard-Towner Act be now fixed. With those recommendations the bill now awaits action by the Senate. In the meantime another bill—H. R. 10986, "A bill to repeal an act entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes,' approved November 23, 1921, and amendments thereto"—has been introduced in the House of Representatives. It seems worth while, therefore, to inquire into the nature of the original Sheppard-Towner Act so as to facilitate intelligent action on the bills now pending and to promote a constructive program for future action should the life of the act be prolonged.

PURPOSE AND SCOPE OF THE SHEPPARD-TOWNER ACT

The Sheppard-Towner Act authorizes Federal appropriations to stimulate and aid the States in protecting and promoting the health of mothers and infants. It denies aid, however, to every State that will not subject its activities to the supervision and control of a Federal bureau and a Federal board and that will not appropriate from the State treasury money to match the Federal subsidy. If the State's plans for the hygiene of its mothers and infants are not pleasing to the Federal board, no Federal funds are forthcoming.

Mr. SHEPPARD. Mr. President, I should like to interrupt the reading there to say that that statement is not true.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Colorado yield to the Senator from Texas?

Mr. PHIPPS. I yield to the Senator for the purpose of making that statement; but I should like to have repeated the statement to which the Senator takes exception.

The legislative clerk read as follows:

It denies aid, however, to every State that will not subject its activities to the supervision and control of a Federal bureau and a Federal board and that will not appropriate from the State treasury money to match the Federal subsidy. If the State's plans for the hygiene of its mothers and infants are not pleasing to the Federal board, no Federal funds are forthcoming.

Mr. SHEPPARD. That is not true.

Mr. PHIPPS. The Senator is entitled to his own opinion.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Texas?

Mr. SHEPPARD. The Senator has yielded to me.

Mr. PHIPPS. I yield for that purpose.

Mr. SHEPPARD. The State authorities have the right of an appeal to the President if the Federal board objects.

Mr. PHIPPS. The Senator is entitled to his opinion.

Mr. SHEPPARD. If the rest of the article is as unreliable as that statement, it will not have any weight with the Senate.

Mr. PHIPPS. That may be.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. PHIPPS. I ask to have the Secretary proceed with the reading.

The PRESIDING OFFICER. The Secretary will continue the reading of the article.

The legislative clerk read as follows:

If the Federal board does not like the way the State is carrying its plans into effect, the board can discontinue Federal aid. Each State must determine whether it will or will not accept the proffered subsidy and submit to Federal supervision and control. Connecticut, Illinois, Kansas, Maine, and Massachusetts have steadfastly refused to do so. The Federal Government is represented in the case primarily by the Children's Bureau, a lay bureau in the Department of Labor. The chief of that bureau, however, functions also as a member of the board of maternity and infant hygiene, her comrades being the United States Commissioner of Education and the Surgeon General of the United States Public Health Service. The administration of the act is intrusted to the Chief of the Children's Bureau, the board having authority merely to pass on the adequacy of State plans and activities.

It can be readily seen from the foregoing analysis of the Sheppard-Towner Act that it empowers the Federal Government to use money collected from the people through Federal taxation to induce or compel the several States to surrender to the Federal Government the right to supervise and control the hygiene of maternity and infancy within their respective State borders. That the Federal Government has no right to control such matters by direct Federal legislation seems to be universally conceded. The question as to whether it has the right through the devious agency of conditional Federal subsidies, as provided in the Sheppard-Towner Act, to accomplish that which it can not accomplish directly has been presented to the United States Supreme Court for decision. The court held, however, that it could not properly pass on the question in the form then submitted, because the determination of the question submitted lay within the discretion of Congress, a coordinate branch of the Government, and was not subject to review by the court. (*Commonwealth of Massachusetts v. Mellon*, and *Frothingham v. Mellon*, 43 Sup. Ct. Rep. 597.) No one has yet found a way of bringing the situation before the United States Supreme Court in a form in which that court can pass on it, and the constitutionality of the act remains therefore undetermined.

PROPOSED EXTENSION OF THE SHEPPARD-TOWNER ACT

Some of the proponents of the Sheppard-Towner Act now contend that the act is permanent legislation. Up to the time of their recent declarations, however, it had been commonly believed that the act was temporary, limited by its own express provisions that authorized appropriations only until the fiscal year ending June 30, 1927. That view seems to be borne out by the now admitted necessity for specific legislative authority for any appropriation to continue operations under the act after the period stated, for if the act is permanent in character new legislation should not be needed to enable Congress to make appropriations to carry it into effect.

In the hearings before the House Committee on Interstate and Foreign Commerce preceding the enactment by the House of Representatives of the bill to authorize appropriations for two additional years, the proponents of the legislation admitted that if the purposes of the Sheppard-Towner Act as conceived by them are to be accomplished, an extension for two years was insufficient and that other extensions would probably be sought. They were unwilling to state any definite time by which, in their judgment, the purposes of the act would be accomplished. The House of Representatives looked complacently on the prospect of repeated appeals for extensions of the act and passed the bill providing for a two-year extension. In the Senate the Committee on Education and Labor recommended that the bill passed by the House be enacted, but only after amendment reducing the extension of the act from two years to one. In the opinion of the committee, it

seems the work undertaken by the Federal Government under the Sheppard-Towner Act belongs in principle to the States and should be allowed to revert to them as soon as practicable. At present writing the bill, with the committee's proposed amendment, is pending in the Senate. The bill providing for the repeal of the Sheppard-Towner Act is pending before the Committee on Interstate and Foreign Commerce of the House of Representatives.

FALLACIES OF THE SHEPPARD-TOWNER PROPAGANDA

In recent hearings before the House Committee on Interstate and Foreign Commerce, as in all other propaganda in support of the Sheppard-Towner Act, one looks in vain for facts and figures showing a reduction in maternal and infant mortality through the operation of the act. The best way to pass on the merits of the pending legislation to extend the act or to bring about its repeal seems to be, therefore, to examine the arguments commonly offered in support of the Sheppard-Towner plan.

1. In support of the Sheppard-Towner plan it is commonly urged that maternal and infant mortality in the United States is excessive, as compared with maternal and infant mortality in other countries, and therefore must be reduced. The comparisons offered by the proponents of the Sheppard-Towner plan, however, to show such excessive mortality in the United States do not justify the conclusion that such mortality is higher than in other countries; nor if it be higher, that such mortality in the United States can be reduced to foreign standards by legislative action, nor that the needful legislation could be enacted by the Federal Government more effectively than by the States.

Such figures as have been offered to show that Federal interference is necessary have almost uniformly been unsupported by citations of the sources whence they came. It is impracticable, therefore, to determine their accuracy or weight, and to determine whether they fairly present the entire situation. No evidence has been offered by Sheppard-Towner proponents to show that the statistical methods in the countries whose mortality rates they have cited are identical with the methods used in the United States. All figures offered by the proponents of the Sheppard-Towner plan are crude figures; that is, figures not distributed according to race, economic conditions, individual diseases or classes of diseases, and other conditions, with which every death is inseparably bound up and a knowledge of which is the very basis of prevention. Obviously, such figures can not be analyzed and compared so as to afford a basis for rational conclusions and intelligent preventive action. But even though maternal and infant mortality were shown to be higher in the United States than in other countries, that fact alone would not justify Federal or even State action until after it had been determined that the conditions operative in such other countries to prevent excessive mortality could be duplicated in the United States. And if it were shown that such conditions could be duplicated in the United States, it would still remain to determine whether such duplication should be effected by the States or by the Federal Government.

The burden of proving that the Federal Government, rather than the States, should assume the obligation of bringing about within each of the several States conditions that would reduce maternal and infant mortality would certainly rest on the proponent. For our State governments are with practical unanimity conceded to be supreme in matters of health within their own respective borders. Such supremacy is conceded by the Sheppard-Towner Act itself, for through it the Federal Government seeks, not to force its way into the State health program but to pay the State for the privilege of supervising and directing it. State supremacy in the field of child health was admitted by the Federal Government through the enactment of the two more or less ephemeral Federal child labor laws, through which it was attempted to regulate the health of children within the States, not by direct action but under color of Federal taxation in one case and of the regulation of interstate commerce in the other; and in both instances the United States Supreme Court took the firm ground, not only that the protection of the health of its people was the right and duty of the State but that the Federal Government was powerless to interfere even by such subterfuges as had been attempted. (*Hammer v. Dagenhart*, 248 U. S. 251; *Child Labor Tax case*, 250 U. S. 20.)

The proponent of the right of the Federal Government to interfere in the health activities in the several States on behalf of their mothers and infants because of the supposed neglect of the several States would find a difficult task before him. He would find that in practically every State without Federal interference there had been great reductions in infant mortality during recent years. If he carried his investigations into the period that has elapsed since the Sheppard-Towner Act was passed he would find that its passage had not increased the rate at which that reduction was going on. He would find, too, that in some States in which the Sheppard-Towner Act has been accepted infant mortality has increased. He would find that in those States that have not yielded to the terms of the Sheppard-Towner Act infant mortality has decreased quite as rapidly as in other States. He would find that the supposedly excessive maternal mortality in the United States as compared with corresponding mortality abroad may represent merely differences in statistical methods in stating such mor-

tality and not differences in the mortality itself; and he would find that so far as decreases in maternal mortality have occurred during recent years States which have declined Federal assistance have records quite as good as those that have accepted it. On the whole, available evidence would hardly show that the Federal Government could accomplish any more in the field of maternal and infant hygiene than could be accomplished by the States themselves.

In the birth registration area of the United States, the infant death rate per thousand live births fell from 101 in 1918 to 76 in 1921 (CONGRESSIONAL RECORD 67: 6919 (Apr. 5) 1926). With the Sheppard-Towner Act in effect, it fell from 76 in 1921 to 72 in 1924. The maternal death rate per thousand live births fell from 9.2 in 1918 to 6.8 in 1921, and during the next three years it fell from 6.8 in 1921 to 6.6 in 1924. In other words, the infant death rate declined 25 points in the three years preceding the enactment of the Sheppard-Towner Act and only 4 points in the three years following its enactment. The maternal death rate declined 2.4 in the earlier period and only 0.2 during the later. These figures are not cited to show that the passage of the Sheppard-Towner Act retarded the decline in infant and maternal mortality rates. They do show, however, that that act did not accelerate such decline.

2. The Sheppard-Towner Act stresses artificially the importance of maternity and infant hygiene. It does not take into consideration the relative importance of the various health activities in which a State must engage. It disregards limitations on the State's resources for health work, and the possibility that to appropriate money to meet the requirements of the Sheppard-Towner Act it may be necessary to curtail essential activities in other fields. The act tends, therefore, artificially to unbalance the health program. From the standpoint of public health administration it is illogical and unwise.

The Sheppard-Towner Act arbitrarily assumes that maternal and infant hygiene present the supreme problem in health administration. It allots to each State as an available subsidy an amount arbitrarily determined by Congress, based on the total population of the State, disregarding all other health needs and all limitations on the resources of the State to meet such needs. The health activities of every State, however, extend into many fields. Adequate water supplies and sewer systems must be provided. The food supply must be supervised and controlled, particularly the milk supply. The spread of communicable diseases must be prevented. Swamps must be drained to prevent malarial fever. Some States must contend with the hook-worm problem; others need not. School hygiene is of vital moment everywhere. The hygiene of maternity and infancy presents but one of the State's many health problems. No State, however, under the Sheppard-Towner plan can determine unbiased the relative importance of its various health problems and allot to each the money the State should rightly give to it on account of its inherent importance. Its judgment is warped by the proffered subsidy.

3. The distribution of money appropriated under authority of the Sheppard-Towner Act is arbitrary and irrational.

The Sheppard-Towner Act provides certain arbitrarily fixed Federal bonuses that are distributed equally to every State that submits to the act. It provides other payments computed on the basis of the relation of the total population of the State to the total population of the United States. Neither of these distributive schemes has any logical relation to the needs of the State with respect to maternal and infant hygiene. The work to be done relates to infants and their mothers. The number of births recorded annually would, therefore, have come nearer to affording a rational numerical basis for distribution of the fund than would any other available figure. Incidentally, the distribution of the Sheppard-Towner fund on the basis of recorded births would have been a most effective method of stimulating birth registration. Some States, however, have been blessed with climates and with racial distributions of population that have prevented any serious infant mortality problem from arising, or else such States have through their own efforts gone a long way toward solving such problems. Obviously such States are not so much in need of subsidies as are the others. So far as figures alone afford a guide—and it is on the face of figures alone that the Sheppard-Towner fund is distributed—Oregon with an infant death rate in 1924 of only 53 certainly did not need a Federal subsidy so much as did South Carolina with an infant death rate of 102. Utah with a maternal death rate in 1924 of 4.5 clearly did not need stimulation to improve that figure so much as did Florida, with a maternal death rate of 12.1. Nor is there any reason, so far as these figures show, why Oregon and Utah should be forced by the Sheppard-Towner Act to appropriate from their own funds for the lowering of maternal and infant mortality amounts of money in the same proportion, based on the total population, as might properly be required of South Carolina and Florida if the Sheppard-Towner plan were workable on a logical basis.

4. The purpose of the Sheppard-Towner Act is presumably to increase State appropriations and State activities for the lowering of maternal and infant mortality. The subsidies provided by the act, however, do not necessarily accomplish that end. Such subsidies are presumed to be matched against appropriations for new or enlarged activities. But they may be matched equally well against appropriations that were

regularly made before the Sheppard-Towner Act was passed. The mere reallocation of items in a State budget can produce an apparent increase in the appropriation for maternal and infant hygiene and in that way procure an increased Sheppard-Towner subsidy, without any increase whatever in the State's activity in the field of maternal and infant hygiene.

The cost of a campaign for the prevention of any communicable disease may be charged wholly against the appropriation for the prevention of communicable diseases, but as such a campaign is partly in the interest of infants and their mothers a part can be fairly charged against the appropriation for maternal and infant hygiene. In the former case, no Federal subsidy can be obtained; in the latter, a subsidy will be available. The cost of supervision and control of the milk supply can be entered in the budget against the cost of food inspection; but as the milk supply has such an intimate relation to the health of infants, a part of the cost can without dishonesty be charged against infant hygiene. If the former system of charging be adopted, no subsidy will be available; if the latter, the amount charged may be matched from the Sheppard-Towner fund. A State may reduce its normal appropriation for maternal and infant hygiene and yet obtain a subsidy. If a State cuts its appropriation in half, it can rely on the Sheppard-Towner subsidy to bring the fund back to normal. There is no certainty, therefore, that Sheppard-Towner subsidies will accomplish the end they are intended to accomplish. Apparent increases in State appropriations and State activities subsequent to the passage of the Sheppard-Towner Act must be studied so as to determine the methods by which such increases were brought about before it can be known whether they represent actual increases or mere paper increases, and the extent to which the Sheppard-Towner Act is entitled to credit for them.

5. The extent to which Sheppard-Towner Act produces increases or decreases in maternal and infant mortality can not be determined by a study of mortality rates alone. It must be shown by other evidence that but for the passage of that act such increases or decreases would not have occurred.

Maternal and infant mortality rates during any given period are computed on the basis of the number of births. In this respect they differ from other death rates, which are computed on the bases less readily ascertainable. If protective measures for mothers and infants are successful, demonstrable improvements in the corresponding death rates should promptly become apparent. If any such improvement is found, inference as to whether the Sheppard-Towner Act has produced it can readily be based on the time of its occurrence, whether before or immediately after the acceptance of the Sheppard-Towner plan by the State, and on an examination of the record to determine whether the variation was one that might have been expected because of antecedent circumstances independent of the Sheppard-Towner Act. A comparison between the death rate in the community under supervision and corresponding death rates in other communities not subject to the Sheppard-Towner plan is necessary. Unfortunately, the data offered by the proponents of the Sheppard-Towner plan in support of the proposed extension of it are not of this character. They are of the most general kind, not properly correlated to Sheppard-Towner activities, too often from interested sources and not infrequently from persons who are hardly to be regarded as competent to speak on the subject.

6. Maternal and infant health work can not be separated from health work generally. If the Government maintains supervision over maternal and infant health work in the States, it must ultimately gain control over all other health activities; otherwise there may be wasteful duplication of effort and a possible working at cross purposes by the Federal and State agencies.

The board of maternity and infant hygiene has apparently found already that to limit infant hygiene to the field commonly regarded as the field of infancy is impracticable. Infancy is commonly understood to cover children in the first year of life and, at most, children in the first and second years. The board, however, has enlarged the meaning of the term "infancy," so far as operations under the Sheppard-Towner Act are concerned, to include all children below school age. With this as a precedent, and on the ground that an infant, in law, is a person who has not yet attained his majority, other extensions may be logically looked for. In Delaware the Sheppard-Towner program included a campaign for a better milk supply. In Florida dental clinics were established as a part of Sheppard-Towner activities. In Colorado a gynecologist was provided for rural communities, the reason being, in part at least, to overcome "the great drawback of shyness or timidity in having the local doctor make the examination." Such applications are the logical outcome of the failure of the act to define what it means by "the welfare and hygiene of maternity and infancy." In the absence of such a definition there seems to be no reason why Sheppard-Towner activities should not extend ultimately to the control of water supplies, sewer systems, and housing, and more particularly to the control of the food supply, and to the prevention of communicable diseases, particularly venereal diseases. All activities in the fields named are certainly related intimately to the health of mothers and of women about to become mothers, and to the health of infants. But if the Federal Government extends its supervision and control so

as to cover State health activities generally, what is the future function of the State in this field, if it has any?

7. The Sheppard-Towner Act involves a wasteful and unwise duplication of effort in Federal health activities.

The work done under the Sheppard-Towner Act is primarily medical work. The United States Government has a highly organized Public Health Service for the execution of such work, under competent medical direction. The Children's Bureau, which is charged with the execution and enforcement of the Sheppard-Towner Act, is a lay bureau. For such medical supervision as it exercises it has to employ physicians, and even then, in last analysis, the work of such physicians and of all physicians employed by the several States under the Sheppard-Towner subsidies, and all medical work whatever done under the act, is under the direction and control of the lay chief of the Children's Bureau.

8. The proponents of the Sheppard-Towner Act claim that the interest of the Federal Government in mothers and babies justifies it in subsidizing in their behalf State health activities and in taking over the supervision and control of them. If so, the interest of the Federal Government in persons of other ages obviously would justify it in providing subsidies in their behalf and in taking over the supervision and control of health work for them also.

Boys and girls, the youth of the country, and men and women of all ages are as important factors in the life of the Nation as are infants and mothers. The wealth of the Nation has already been expended to make them producing economic units in community life and to make them available to protect the Nation in case of war. To them the Federal Government must look for the care and nurture of coming generations, and even for the care and nurture of mothers and infants, on whose behalf the Sheppard-Towner Act expresses such solicitude. Obviously, the Federal Government has an interest in youth and adults quite as great as its interest in mothers and babies. If the Federal Government has the power to buy from the States the right to supervise and control health activities in behalf of mothers and infants, it has the power to buy also the right to supervise and control health work for youth and adults. But if the Federal Government can buy from the States the right to supervision and control of State health activities, vested by the Constitution in the States, there is no reason why the Federal Government should not likewise buy the other constitutional rights of the States. It is to that end that the Sheppard-Towner Act seems to lead. The accomplishment of that end will be coincident with the destruction of our present system of government.

CONCLUSION

The comments here offered have been written in the hope of bringing about a clearer understanding of the purposes and probable effects of the Sheppard-Towner Act. The subject has been approached from the standpoint of public-health administration and from the standpoint of government. The physician is no less a citizen because he is a physician, and it is conceived that he is interested in the act and entitled to speak concerning it from both standpoints. If what has been said leads to the conclusion that the life of the act should not be prolonged or that the act should be now repealed, that conclusion should be made known to the Senators and Representatives who represent in Congress the readers of these comments.

During the reading of the foregoing article,

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New York?

Mr. PHIPPS. May I ask for what purpose the Senator desires me to yield?

Mr. COPELAND. I wish to have inserted in the RECORD two letters bearing on this matter, but I do not care to interrupt the Senator.

Mr. PHIPPS. I prefer not to have the continuity of this article broken.

Mr. COPELAND. Pardon me; I supposed it had been finished.

Mr. PHIPPS. No; the reading is still under way.

After the conclusion of the reading of the article,

Mr. BINGHAM obtained the floor.

Mr. WILLIS. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. BINGHAM. I yield for a question.

Mr. WILLIS. As we have just had read an extensive document, I wondered if the Senator would yield to me to have read what the President said upon this subject in his message to the Congress. Will the Senator yield for that purpose?

Mr. BINGHAM. I shall be very glad if the Senator will first permit me to have read a supplementary statement made by the executive secretary of the bureau of legal medicine and legislation of the American Medical Association, supplementary to the statement which has just been read at the request of the Senator from Colorado [Mr. PHIPPS]. If the Senator from

Ohio will permit the supplementary statement to be read in connection with the statement just read, at the end of that reading I shall be glad to yield for the purpose he suggests.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New York?

Mr. BINGHAM. I yield for a question.

Mr. COPELAND. The question is, in view of the fact that I had the floor for an instant a few moments ago to ask that that a letter be read, will the Senator from Connecticut yield in order that the letter may be read at this time?

Mr. BINGHAM. Will the Senator first permit this supplementary statement to be read in connection with the other statement just read? I have already acceded to the request of the Senator from Ohio [Mr. WILLIS] that a statement by the President of the United States may be read for the RECORD at the end of the reading of the supplementary statement. If the Senator from New York will not think I am discourteous, I should like to yield to him after I have yielded to the Senator from Ohio.

Mr. COPELAND. I thank the Senator from Connecticut. May I ask him if the reading of the article will take until 2 o'clock?

Mr. BINGHAM. No; it will not, in my opinion. I ask that the supplementary statement which I send to the desk may be read.

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

FURTHER FALLACIES OF THE SHEPPARD-TOWNER PROPAGANDA

William C. Woodward, executive secretary, Bureau of Legal Medicine and Legislation of the American Medical Association, Chicago

1. In support of pending legislation to authorize appropriations to carry the Sheppard-Towner Act into effect for two years beyond the date originally set for it to expire, it is urged that this is merely a temporary expedient, designed to prevent the loss of the money and effort already expended under the act. The record shows, however, that is not the case. The extension of the Sheppard-Towner Act now sought, for two years only, is merely one of a series of extensions that will be sought if this extension be granted. In fact, proponents of the Sheppard-Towner plan regard the act as permanent legislation.

In the report of the hearing before the Committee on Interstate and Foreign Commerce, House of Representatives, January 14, 1926, on H. R. 7555, the bill authorizing further appropriations for carrying the Sheppard-Towner Act into effect, on page 51 we find the following statement by Miss Grace Abbott, Chief of the Children's Bureau:

"The committee is familiar with the fact that the legislation enacted in the maternity and infancy act is permanent; the only thing that is not permanent is the authorized appropriation for the five-year period.

In the CONGRESSIONAL RECORD, April 5, 1926, page 6925, the same view was stated by Representative BARKLEY, when he spoke in support of the bill:

"My only regret is that this authorization is limited to two years. I would advise gentlemen of the fact that this is permanent legislation. The Sheppard-Towner bill is a permanent law. It only provided originally for a five-year authorization of appropriations. This merely extends the authorization two years, but the law itself is permanent law. * * *

The same view was adopted by Senator SHEPPARD, in the CONGRESSIONAL RECORD, April 14, 1926, page 7408.

"As to the present status of the measure, let me add that, after consultation with the Budget Bureau and the President, the Secretary of Labor transmitted to Congress a recommendation for the continuation of the appropriations under the maternity act for two additional years. The act itself is permanent legislation."

It could not well be made clearer that the proponents of this legislation expect to keep the Sheppard-Towner plan as a permanent part of our Federal organization. But whether they do or do not plan to go that far, it is clear that they have no intention whatsoever of abandoning the scheme at the end of the two-year extension they now seek. For turning to the printed report of the hearing before the Committee on Interstate and Foreign Commerce, House of Representatives, we find the following:

"Mr. NEWTON. Now, this further question: Do you consider that the two years is sufficient?

"Miss ABBOTT. Well, I do not consider it sufficient if it is to end at the two-year period. I did not think in asking that period of time that that was the intention either of the Secretary of (or) the President that there was to be no further extension after the two-year period" (p. 12).

"Mr. LEA. What time would you specify for a certainty that, in your judgment, the United States should remain in this work?

"Miss ABBOTT. Well, I do not want to specify for a certainty.

"Mr. LEA. Do you think four years?

"Miss ABBOTT. No; I would rather say five as the time that the Government would, without question, need to continue the work.

"Mr. LEE. You are certain that the Government should stay in for five years?

"Miss ABBOTT. Personally, I am; yes. But I am supporting the recommendation of the Secretary and the President for the two-year period, with a view to showing accomplishments and needs still existing at the end of that time" (p. 14).

"Mr. RAYBURN. You would not hazard an opinion on just when you think you could recommend that the Government go out of this supervision?

"Miss ABBOTT. No; because I think it is a factual thing. I am not a prophet, after all, as to when that condition may come to pass" (p. 15.)

With such testimony as that of Miss Abbott, the statement that has been made in support of the pending bill, that "there is no disposition to extend Federal cooperation beyond the next one or two years," is certainly without foundation.

2. Attempts to justify an extension of the life of the Sheppard-Towner Act by showing the extent of activities in the field of maternal and infant hygiene since that act was passed are inadequate unless they show the results of such activities, and this they do not do.

"Child-health conferences," "school conferences," "infant clinics," "institutes," "public talks," "patterns distributed," "milk letters, with instructions to mothers," and similar activities (CONGRESSIONAL RECORD, April 14, 1926, pp. 7408-7426) are at best merely agencies to conserve health and life. Evidence showing only that such activities are going on does not prove that they are accomplishing that result. Such evidence is even further from proving that such activities are being conducted efficiently and economically, or that they are being conducted under the Sheppard-Towner Act better than they could have been conducted by the States alone. The evidence offered is inadequate, too, to permit intelligent judgment as to the relation of such activities to the Sheppard-Towner Act, for such evidence very generally fails to show the nature and extent of similar activities in the same jurisdictions before the act was passed.

3. The assertions that have been made that there have been substantial reductions in infant and maternal mortality, with the implication that such reductions have been due to the Sheppard-Towner Act, are not supported by the evidence.

In the CONGRESSIONAL RECORD, April 5, 1926, on page 6919, in the argument of Representative NEWTON in support of the act, the following appears:

"Since the operation of this act there has been a substantial decrease in both the infant mortality and the maternity death rates."

Representative NEWTON, then submits tables showing that in the three Sheppard-Towner years—1922-1924, inclusive—the infant mortality rate for the registration area fell from 76 to 72, and the maternal mortality rate fell from 6.8 to 6.6. Such a decline could hardly be regarded as "substantial." But even if it were, it could not be accepted as an argument in favor of the Sheppard-Towner Act, for during the three years immediately preceding, namely, 1919-1921, inclusive, the infant mortality rate fell from 101 to 76, and the maternal mortality rate fell from 9.2 to 6.8. Of course, we know that the improvement shown by the figures last stated was only relative and that the decline was great because of the high mortality due to influenza in the year preceding the triennium named and from which the decline is computed. But what the improvement in 1922-1924 was due to, and how long it will continue, we do not know.

As a fallacious argument offered in support of the Sheppard-Towner bill recently passed by the House, we find the following by Representative BARKLEY, in the CONGRESSIONAL RECORD, April 5, 1926, page 6925:

"Taking the United States as a whole, in 1920, which was the year before the enactment of this law, the number of children who died in infancy amounted to 86 out of every 1,000 in the United States. In 1924, four years after the passage of this law, the death rate among children in the United States had been reduced from 86 to 71 per 1,000. This is a reduction of nearly 20 per cent in less than four years."

The Sheppard-Towner Act was not approved until November 23, 1921. Obviously, its enactment could not have influenced the infant mortality rate for 1921. Why, then, did not Representative BARKLEY take the infant mortality rate for 1921 as a basis for comparison instead of the infant mortality rate for 1920? The infant mortality rate for 1921 was 76. The decline, therefore, under the Sheppard-Towner régime was from 76 to 72. It was only 5 per cent in three years, not 20 per cent in less than four years, as stated. And no evidence is offered to show that the Sheppard-Towner Act had anything to do with even such decline as did occur.

4. Statements made to show the extent to which infant and maternal mortality are preventable, in support of an argument for the enactment of the pending legislation, are without adequate foundation.

In the CONGRESSIONAL RECORD, March 31, 1926, page 6619, Senator SHEPPARD is quoted as referring to certain studies and investigations made by the Children's Bureau, as follows:

"It was found that nearly 20,000 mothers and almost 200,000 infants under 1 year of age were dying in the United States every year from lack of proper knowledge as to the hygiene of maternity and infancy."

As a matter of fact, according to the Twenty-fourth Annual Report of the Bureau of the Census, covering Mortality Statistics, 1923, published in 1926, page 126, there were in the entire registration area of the United States in 1923 only 166,274 deaths of children less than 1 year old from all causes. The estimated population of the registration area was 96,986,371, and the estimated population of the entire continental United States was only 110,663,502. (See report cited, p. 8.) And yet, unless Senator SHEPPARD has misinformed us, investigations by the Children's Bureau disclosed the fact that almost 200,000 infants under 1 year of age die in the United States every year from lack of proper knowledge as to the hygiene of maternity and infancy. If the reported findings of the Children's Bureau are correct, where do the extra 34,000 babies come from each year who die from lack of proper knowledge? And where do all the babies come from who die every year from other causes?

A similar discrepancy exists with respect to maternal mortality. In support of the Sheppard-Towner Act, the Children's Bureau is quoted as authority for the statement that "nearly 20,000 mothers * * * were dying in the United States every year from lack of proper knowledge as to the hygiene of maternity and infancy." And yet the report of the Census Bureau, cited above, page 176, shows that the total number of deaths in 1923 in the entire registration area, containing nearly nine-tenths of the population of the continental United States, from accidents of pregnancy and labor, and hemorrhage, blood poisoning, and other conditions incident to the puerperal state, was only 15,505.

5. Comparisons between maternal mortality in the United States and maternal mortality in other countries, to the discredit of the United States, are not justified by comparable records.

Referring to studies and investigations made by the Children's Bureau, Senator SHEPPARD, according to the CONGRESSIONAL RECORD, March 31, 1926, page 6619, said:

"Reports from the birth-registration area of the United States showed that from 1915 to 1920 the death rate of mothers from causes relating to maternity was increasing. It was shown that the death rate of mothers in the United States from these causes was the highest for any nation in the world for which recent figures could be obtained, and that seven foreign countries had infant death rates lower than the United States."

The reason for the increase in maternal mortality in 1920, as compared with maternal mortality in 1915, is not hard to find. In 1920 many expectant mothers died from influenza, and their deaths were charged to pregnancy; in 1915 influenza did not contribute to such mortality.

But probably the most overworked figures that have been used in the support of the Sheppard-Towner propaganda are such as those referred to above, purporting to show an exceedingly high maternal mortality rate in the United States as compared with the maternal mortality rates in other countries. Concerning comparisons of that kind the Bureau of the Census has this to say:

"As already pointed out, the classification of deaths from puerperal causes differs greatly in different countries. Higher rates in one country than in another therefore do not necessarily mean higher mortality from these causes. However, as classification in a given country presumably differs but little from year to year, the rates do presumably serve as useful measures of mortality from these causes within the country itself.

"Comparing the rates of 1923 with those of 1915, for puerperal septicemia, the United States shows the same rate for both years, England and Wales a reduction of 13.3 per cent in its rate, Australia an increase of 30.8 per cent, New Zealand an increase of 137.5 per cent, and Scotland the same rate for both years. For other puerperal causes the United States shows an increase of 5.4 per cent, England and Wales a decrease of 7.4 per cent, Australia an increase of 17.2 per cent, New Zealand a decrease of 15.4 per cent, and Scotland an increase of 7.1 per cent." (Twenty-fourth Annual Report, Bureau of the Census, Mortality Statistics, 1923, published in 1926, p. 64.)

Just what comfort Sheppard-Towner propagandists can get out of these figures is hard to see.

6. Even if it could be admitted that infant and maternal mortality rates were as bad as the proponents of the pending legislation assert, and that it is as easily reducible as some of them claim, there is no evidence to show that preventive measures can be applied more effectively by the Federal Government than by the State.

So far as is known, not a single advance in methods for preventing infant and maternal mortality has been made by the Children's Bureau since the Sheppard-Towner Act was passed. It has merely adopted methods devised and in use by the several States and cities of the country. Obviously, supervision and control of such activities over the entire land area of the United States, approximately 3,000,000 square miles, by a Federal bureau in Washington, must entail a heavy overhead expense—or must be supervision and control on paper only.

Mr. HEFLIN and Mr. WILLIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Alabama?

Mr. BINGHAM. I agreed to yield first to the Senator from Ohio.

Mr. WILLIS. Mr. President, I desire to have read at this time the recommendation of the President of the United States in favor of the legislation now under consideration. I ask the clerk to read the brief paragraph which I have marked from the President's Budget message.

Mr. HEFLIN. Mr. President, before that is read, I hope the Senator will permit me to use about five minutes.

Mr. WILLIS. I do not have control of the floor. The Senator from Connecticut has yielded to me, and I should like to have this article read in juxtaposition with what has just been read.

Mr. HEFLIN. It can be printed in juxtaposition with what has been read and at the same time allow me to say a few words.

Mr. WILLIS. I desire to have it read; I do not desire merely to have it printed.

Mr. HEFLIN. I have no objection to having it read at all, but I should like to have the Senator let me talk for three or four minutes.

The PRESIDING OFFICER. Does the Senator from Connecticut yield?

Mr. BINGHAM. I yield with the understanding that I do not lose the floor.

Mr. WILLIS. Where do I come in in this arrangement? I want to have this brief paragraph read.

Mr. BINGHAM. I will say to the Senator from Alabama that while he was not in the Chamber I agreed to yield to the Senator from Ohio [Mr. WILLIS] at the close of the reading of the paper which was read at my request.

Mr. HEFLIN. Mr. President, I have no objection to the reading of the matter presented by the Senator from Ohio, but I will inquire how long it will take to read it?

Mr. WILLIS. About half the length of time we have used in talking about how long it will take.

Mr. HEFLIN. Very well.

Mr. BINGHAM. I may say further that I also agreed to yield then to the Senator from New York [Mr. COPELAND].

Mr. HEFLIN. Very well. I think the article should be read now.

Mr. WILLIS. I thank the Senator.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk proceeded to read from the CONGRESSIONAL RECORD of December 8, 1926, page 79.

Mr. REED of Missouri. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Missouri will state his parliamentary inquiry.

Mr. REED of Missouri. As the matter which is about to be read is already in the RECORD and has been placed in the RECORD very recently, why should we have it read to take up the valuable time of the Senate?

Mr. WILLIS. Mr. President, if the Senator from Connecticut will yield to me—

Mr. BINGHAM. I yield.

Mr. WILLIS. I know the Senator from Missouri is anxious to bring about an early vote on the pending measure and is therefore desirous of saving the time of the Senate. I should like to say to him, however, that this brief paragraph is particularly in point, and I thought it would be well to have it read at this time, in view of the lengthy documents which have already been read.

Mr. REED of Missouri. Mr. President, it seems to me that there can be no question about the fact that every Member of the Senate—indeed, every one in the country—is perfectly familiar with everything the President has said in recent times. Furthermore, the matter is already in the RECORD. I do not care about it, but it seems to me that it gives the appearance of a filibuster here by the Senator from Ohio. [Laughter.]

Mr. WILLIS. I ask for the reading of the paragraph.

The PRESIDING OFFICER. The clerk will read.

Mr. BRUCE. Mr. President, I should like to unite in the objection made by the Senator from Missouri.

Mr. WILLIS. No objection has been made.

Mr. BRUCE. I do not see what the Senator from Ohio has to gain by this proceeding. I never have known his side of the Chamber to pay any attention to any recommendation of the President since I have been here.

Mr. WILLIS. Mr. President, I asked and obtained unanimous consent for the reading of the paragraph, and I ask that it be read.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read as follows:

MATERNITY AND INFANCY

No estimate is submitted for carrying on the work under the maternity and infancy act, approved November 23, 1921, inasmuch as the authorization of appropriations for this purpose was fulfilled with the appropriation for 1927. A bill is now pending before the Congress extending the provisions of that act to the fiscal years 1928 and 1929. If and when that measure becomes law I propose sending to the Congress a supplemental estimate for an appropriation to make its provisions effective. I am in favor of the proposed legislation extending the period of operation of this law with the understanding and hope that the administration of the funds to be provided would be with a view to the gradual withdrawal of the Federal Government from this field, leaving to the States, who have been paid by Federal funds and schooled under Federal supervision, the privilege and duty of maintaining this important work without aid or interference from the Federal Government.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New York?

Mr. BINGHAM. I yield to the Senator from New York.

Mr. COPELAND. I desire to have read from the desk two short letters.

The first one is from Dr. Haven Emerson, long-time commissioner of health of the city of New York and now professor of public health administration in Columbia University.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Secretary will read the letter.

The Chief Clerk read as follows:

COLUMBIA UNIVERSITY, COLLEGE OF PHYSICIANS AND
SURGEONS, INSTITUTE OF PUBLIC HEALTH,
New York, November 3, 1926.

To the Hon. ROYAL S. COPELAND,

United States Senate, Washington, D. C.

DEAR DOCTOR COPELAND: No one who has the least acquaintance with the facts of maternal and early infant mortality in the United States doubts that the administration of Federal and State services under the Sheppard-Towner Act has contributed materially to the saving of lives of the mothers and babies of this country.

Preventable deaths, especially those due to lack of information in the homes of wage earners, in matters of simple personal hygiene, are evidence of inert and careless public service.

The unanimous opinion of the sanitarians of the United States, representing the physicians, nurses, educators, and administrators of official and volunteer health agencies of this entire country has been expressed repeatedly and publicly in favor of the principles and operation of the Sheppard-Towner Act.

To permit the work under this act to lapse for lack of continuing appropriations for at least another period of three years would be to confess that the Congress is incapable of intelligent expenditure of the tax money, and that its Members consider lives are less valuable than dollars.

"Public health is purchasable," and it can be shown that the most profitable investment in health is by education through professional medical and nursing guidance of the mother before and immediately after the birth of her children. At least half of the maternal and infant deaths in the United States can be prevented by intelligent distribution of information now readily available. These deaths need not occur.

Your continued active support of this measure is confidently expected.

Yours very truly,

HAVEN EMERSON, M. D.,

Professor of Public Health Administration, De Lamar
Institute of Public Health, Columbia University.

Mr. BRUCE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and if so, to whom?

Mr. BINGHAM. I yielded to the Senator from New York. If he is not through, I yield to him again.

Mr. BRUCE. I ask the Senator to yield to me for a question; that is all.

Mr. BINGHAM. I yield.

Mr. BRUCE. I merely wanted to ask whether this Doctor Emerson is the Doctor Emerson who is so prominent in prohibition circles?

Mr. COPELAND. I may say to the Senator that I am not familiar with prohibition circles.

Mr. BRUCE. He certainly is; and he has made such a mess of the whisky bottle that I think he had better let the milk bottle alone.

Mr. COPELAND. Mr. President, in order that the RECORD may be 50-50, I send to the desk a letter from the health commissioner of the State of New York, who is not active in prohibition circles but who is one of the most eminent health

administrators in the world and one of the greatest physicians. I ask the Secretary to read the letter from Doctor Nicoll, commissioner of health of the State of New York. This letter, I may say to the Senator from Maryland, can not be contaminated in any sense with evil associations.

The PRESIDING OFFICER. The Secretary will read the letter.

The Chief Clerk read as follows:

NEW YORK STATE DEPARTMENT OF HEALTH,
Albany, December 28, 1926.

HON. ROYAL S. COPELAND,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I understand that the bill extending the life of the so-called Sheppard-Towner Act is in committee and likely to remain there, although a majority of the Senate is in favor of it, unless it is moved.

While it is true that a number of persons throughout the country are against this measure for one reason or another and that a certain part of the medical profession is also opposed to it, I desire to express my opinion that the work of maternity and child hygiene has been immensely forwarded by this act in that it has encouraged legislatures to appropriate funds for this very-much-needed purpose, which otherwise they unquestionably would not have done. Even in the State of New York the appropriations for maternity and child hygiene had been, up to the time of the passage of the Federal act, totally inadequate, and they were quadrupled as a result of it. While I have no doubt that if these funds were withdrawn future legislatures in New York State would unquestionably provide adequately for this purpose, there can be little doubt that in the vast majority of the less prosperous States the work would fall flat if Federal funds were withdrawn.

You will, as a physician, be interested in the fact that, with the permission of the Children's Bureau at Washington I was able to spend some \$10,000 in the interest of postgraduate medical education in maternity and child hygiene. Lectures, demonstrations, and clinics in these subjects, given by qualified members of the medical profession, have been, in my opinion and in the opinion of the medical profession of the State, a very great success. It is questionable whether State funds for this purpose would be forthcoming in the future.

I understand that you are in favor of this measure; and whatever the situation may be in our own State, I do not think that you as a United States Senator or I as a health officer can conscientiously afford to overlook the needs of the country at large in a matter so vitally important to the health and lives of women and infants. I, therefore, am taking the liberty of urging you to use your best efforts to move this bill from committee, unless, in your opinion, there is good reason for not so doing.

With best wishes for the New Year, believe me,

Very sincerely yours,

M. NICOLL, JR.,
Commissioner of Health.

Mr. COPELAND also presented the following telegrams and communications, which were ordered to lie on the table and to be printed in the RECORD, as follows:

BROOKLYN, N. Y., January 2, 1927.

HON. ROYAL S. COPELAND,
Senate Chamber, Washington, D. C.:

The members of the League of Women Voters of the ninth assembly district of Brooklyn urge you to vote for the two-year extension of the Sheppard-Towner grant. We appreciate the support you have given to this much-needed aid for mothers and babies.

AGNES C. R. HAIG,
Chairman of Legislation.

NEW YORK, N. Y., January 3, 1927.

HON. ROYAL S. COPELAND,
Washington, D. C.:

The New York League of Women Voters are counting upon you as a member of the Committee on Education and Labor to press for early action on the infancy and maternity act.

Mrs. HENRY GODDARD LEACH, Chairman.

NEW YORK, N. Y., January 3, 1927.

HON. ROYAL S. COPELAND,
Senate Office Building, Washington, D. C.:

Since saving the lives of mothers and children appears to me the most important work that Congress will have an opportunity to do this session, I urge you to use every effort to expedite the passage of the bill continuing the Sheppard-Towner Act.

ELIZABETH BROWNELL COLLIER,
Chairman Brooklyn League of Women Voters.

NEW YORK, N. Y., January 4, 1927.

HON. ROYAL S. COPELAND,

United States Senate, Washington, D. C.:

I am counting on your vote for a renewal of the Federal grant for maternity and infant hygiene as set forth in the Sheppard-Towner bill.

KATRINA E. TIFFANY.

UNIVERSITY OF THE STATE OF NEW YORK,
STATE DEPARTMENT OF EDUCATION,
Albany, December 22, 1926.

HON. ROYAL S. COPELAND,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR COPELAND: I am very much interested in the fate of the maternity bill. I feel strongly that sufficient appropriation should be made to enable this excellent work to go on for a longer period. A great many women who may not write directly to you are watching the progress of the bill with much interest.

I trust that favorable action will be taken.

Very truly yours,

CAROLINE A. WHIPPLE,
Supervisor of Immigrant Education.

MEDICAL SOCIETY OF THE COUNTY OF KINGS,
Brooklyn, N. Y., December 28, 1926.

The Hon. ROYAL S. COPELAND, M. D.,

The Senate of the United States, Washington, D. C.

DEAR SIR: I beg to inform you of the attitude of the Medical Society of the County of Kings, representing 1,700 registered physicians, in regard to a measure pending to perpetuate the Sheppard-Towner Maternity Act. Inclosed you will find a copy of the resolution passed unanimously at the December meeting of this society.

I respectfully invite your attention to its content and earnestly request your careful consideration of our attitude upon this matter.

Sincerely yours,

THOMAS M. BRENNAN, M. D.,
Secretary.

MEDICAL SOCIETY OF THE COUNTY OF KINGS,
Brooklyn, N. Y.

Whereas in the present short session of Congress a measure is pending (as unfinished business) to perpetuate the Sheppard-Towner Maternity Act with luscious appropriations; and

Whereas the operation of that act during the five years of its existence has demonstrated that its administration has resulted in a reduction of the birth rate of this Nation 2.4 to the 1,000 of population, or 250,000 babies per annum who will never be American citizens; and

Whereas also, after an intensive campaign of five years by the agents of the Children's Bureau of the Federal Department of Labor, administering that act in the State of Montana, that State has shown the lowest birth rate and the highest septicemia rate in the Nation; and

Whereas the judgment of this County Medical Society of Kings in 1921 was against the enactment of this measure as uneconomic and wasteful of the money and man power of the Nation: Therefore be it

Resolved, That the Medical Society of the County of Kings (New York), in meeting assembled, condemns the specialized medicine of the Sheppard-Towner maternity type and now, as in 1921, urges the Representatives from Kings County to the Congress of the United States to work and vote against the perpetuation of this measure through appropriation bills, or otherwise, for any period of time whatsoever; and be it further

Resolved, That a copy of this resolution be sent to the Representatives in Congress from this county and State and to the daily press, and that the delegates from this county society to the Medical Society of the State of New York be, and hereby are, instructed to present this resolution to the State society with a request from this society for its indorsement or for the adoption of a separate resolution on the same lines.

ACQUITTAL OF FALL AND DOHENY

Mr. HEFLIN. Mr. President—

Mr. BINGHAM. I yield to the Senator from Alabama.

Mr. HEFLIN. My attention has been called to an article in another one of the hirelings of the corrupt and criminal interests of the country. This article attacks me.

Mr. President, the Independent, published in New Hampshire and Massachusetts, another one of the hired agents of predatory interests, has done the bidding of its master and assailed me for my position on the verdict which acquitted Fall and Doheny. I do not mind fair criticism; I welcome it; but I do object to having my name appear in the bought-and-paid-for columns of sheets that represent the corrupt interests of the country.

One of these—once a decent paper, but now the corrupt and contemptible mouthpiece of the despicable interests that feed

and fatten on Government graft and the corrupt use of money in politics—has come to the rescue of Doheny and Fall. For a time that paper appealed to the honest and intelligent reader. During that time its readers multiplied and the number of its subscribers increased. Then it was that certain corrupt interests decided that if they could, by the use of money, influence the editorial preachments of the Independent, it would help them in corraling and controlling for the corrupt interests the independent voters of the country. The temptation was too strong; and in an evil hour the Independent fell into the control of the boodlers and corruptionists in politics, and became the mouthpiece of the Dohenys and Falls. The same paper has a very strong article defending Mussolini, one of the most dangerous men in the Old World to the peace and happiness of the whole world.

So much, Mr. President, for the Independent. Here is an editorial that is being sent from New York to various Senators. It is from the New York Evening Inquirer; and William Griffin appears to be the editor and publisher of this villainous sheet. He is one of the ecclesiastical henchmen of Doheny, Fall's coconspirator.

Mr. President, I can best illustrate his situation and express my opinion of him by telling the story of a Scotchman and a little caddy.

The Scotchman had played golf all day, and had walked the little caddy back and forth on the golf links so long that he was very tired. When the game was finished, and the little fellow was so weary that he could hardly stand on his feet, the Scotchman ran his hand into his pocket, and, taking out three nickels, said, "I am now going to pay you for your service." The boy took the nickels, looked at them, and then looked at the Scotchman. He stood silent for a moment. He was dazed and dumfounded. Then he said, "I believe I can tell your fortune with these nickels. The first one tells me that you are a Scotchman." The Scotchman said, "That's right." "The second one tells me that you are a bachelor." The Scotchman said, "That's right." "And the third nickel tells me that your father was a bachelor." [Laughter.]

The PRESIDING OFFICER. Let there be order in the Senate.

MATERNITY AND INFANT HYGIENE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

Mr. BINGHAM. Mr. President, there is important legislation for the island of Porto Rico which needs attention, and I move that Order of Business 1028, Senate bill 4247, be taken up.

The PRESIDING OFFICER. The Senator from Connecticut moves that the Senate proceed to the consideration of Order of Business 1028, Senate bill 4247.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	McKellar	Robinson, Ind.
Bayard	Frazier	McLean	Sackett
Bingham	Gerry	McMaster	Sheppard
Blease	Gillett	McNary	Shipstead
Borah	Glass	Mayfield	Shortridge
Bratton	Goff	Metcalf	Smoot
Broussard	Gooding	Neely	Steck
Bruce	Hale	Norbeck	Stewart
Cameron	Harris	Norris	Swanson
Capper	Hawes	Nye	Trammell
Copeland	Heflin	Oddie	Tyson
Couzens	Johnson	Overman	Wadsworth
Curtis	Jones, N. Mex.	Pepper	Walsh, Mass.
Dale	Jones, Wash.	Phipps	Walsh, Mont.
Deneen	Kendrick	Pine	Warren
Dill	Keyes	Pittman	Watson
Edge	King	Ransdell	Wheeler
Ferris	La Follette	Reed, Mo.	Willis
Fess	Lenroot	Reed, Pa.	

The VICE PRESIDENT. Seventy-five Senators having answered to their names, a quorum is present. The question is on agreeing to the motion of the Senator from Connecticut [Mr. BINGHAM].

The motion was rejected.

Mr. BINGHAM. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. REED of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. FLETCHER. I transfer my pair with the junior Senator from Delaware [Mr. DU PONT] to the senior Senator from Mississippi [Mr. HARRISON] and vote "nay."

I desire to announce that the senior Senator from Arkansas [Mr. ROBINSON] is necessarily absent on business of the Senate.

Mr. JONES of Washington. I desire to announce the following general pairs:

The Senator from Minnesota [Mr. SCHALL] with the Senator from New Jersey [Mr. EDWARDS]; and

The Senator from Oklahoma [Mr. HARRELD] with the Senator from North Carolina [Mr. SIMMONS].

Mr. GERRY. I desire to announce that the junior Senator from Mississippi [Mr. STEPHENS] has a general pair with the junior Senator from Colorado [Mr. MEANS].

The result was announced—yeas 14, nays 57, as follows:

YEAS—14			
Bayard	Bruce	Metcalf	Wadsworth
Bingham	Edge	Phipps	Walsh, Mass.
Blease	Gerry	Reed, Mo.	
Broussard	Gillett	Reed, Pa.	
NAYS—57			
Ashurst	Frazier	McKellar	Sackett
Borah	Glass	McLean	Sheppard
Bratton	Goff	McMaster	Shipstead
Cameron	Gooding	McNary	Shortridge
Capper	Hale	Mayfield	Smoot
Copeland	Harris	Neely	Steck
Couzens	Hawes	Norbeck	Stewart
Curtis	Heflin	Norris	Tyson
Dale	Johnson	Nye	Walsh, Mont.
Deneen	Jones, N. Mex.	Oddie	Watson
Dill	Jones, Wash.	Overman	Wheeler
Ernst	Keyes	Pine	Willis
Ferris	King	Pittman	
Fess	La Follette	Ransdell	
Fletcher	Lenroot	Robinson, Ind.	
NOT VOTING—24			
Caraway	Harreld	Pepper	Stephens
du Pont	Harrison	Robinson, Ark.	Swanson
Edwards	Howell	Schall	Trammell
George	Kendrick	Simmons	Underwood
Gould	Means	Smith	Warren
Green	Moses	Stanfield	Weller

So Mr. BINGHAM's motion was rejected.

Mr. BINGHAM. Mr. President, it being impossible to complete the discussion of the pending bill at this time, and the Senate having entered into a unanimous-consent agreement to proceed to the consideration of executive business at 2 o'clock, I suggest now that the Senate go into executive session.

Mr. SHEPPARD. Mr. President, I object.

EXECUTIVE SESSION

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Senate will proceed to the consideration of executive business, under the unanimous-consent order of January 4. The Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon proceeded to the consideration of executive business. After 2 hours and 45 minutes spent in executive session the doors were reopened.

While the doors were closed,

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on to-day the President had approved and signed the following acts:

S. 3615. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War because of misrepresentation of age;

S. 3728. An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations;

S. 4153. An act to provide for enlarging and relocating the United States Botanic Garden, and for other purposes;

S. 4741. An act providing for the promotion of Lieut. Commander Richard E. Byrd, United States Navy, retired, and awarding to him a congressional medal of honor; and

S. 4742. An act providing for the promotion of Floyd Bennett, aviation pilot, United States Navy, and awarding to him a congressional medal of honor.

CONGRESS OF MILITARY MEDICINE AND PHARMACY AT WARSAW, POLAND (S. DOC. NO. 186)

As in legislative session,

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State recommending, at the request of the Secretary of the Treasury, the

Secretary of War, and the Secretary of the Navy, constituting, together with the surgeon generals of the three medical services of the Treasury, War, and Navy Departments, an advisory board under the Federal act to incorporate the Association of Military Surgeons of the United States, approved January 30, 1903, that Congress be asked for an appropriation of \$5,000 for the payment of expenses of five delegates, three of whom shall represent the medical services of the War and Navy Departments and the United States Public Health Service, at the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland, in 1927.

The recommendation has my approval, and I request of Congress legislation authorizing an appropriation of \$5,000 for the purpose of participation by the United States by official delegates in the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland, in 1927.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, January 5, 1927.

PAN AMERICAN INSTITUTE OF CHILD WELFARE (S. DOC. NO. 184)

As in legislative session,

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I recommend to the favorable consideration of the Congress the inclosed report from the Secretary of State, with an accompanying paper, to the end that legislation may be enacted authorizing an appropriation of \$2,000 to enable acceptance by the United States of membership in a Pan American Institute of Child Welfare at Montevideo, in accordance with the recommendation of the Secretary of Labor joined in by the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, January 5, 1927.

EIGHTH PAN AMERICAN SANITARY CONFERENCE (S. DOC. NO. 185)

As in legislative session,

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State with a copy of a letter to him from the Secretary of the Treasury, with related papers, requesting that an appropriation be authorized for the expenses of three delegates (two of whom shall be officers of the Public Health Service) to the Eighth Pan American Sanitary Conference to be held at Lima, Peru, from October 12-20, 1927. The especial attention of Congress is invited to the memorandum furnished by the Secretary of the Treasury of the reasons why it is believed the Government of the United States should be represented in the conference.

I concur in the view of the Secretary of the Treasury that participation by the United States in these Pan American sanitary conferences is of importance and agree with the conclusion of the Secretary of State that such participation is in the public interest. I, therefore, request of Congress legislation authorizing an appropriation of \$3,000 for the expenses of delegates to the Eighth Pan American Sanitary Conference to be held at Lima, Peru, in October, 1927, in accordance with the draft of a joint resolution submitted with the papers herewith transmitted.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, January 5, 1927.

The doors having been reopened,

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 6, 1927, at 12 o'clock m.

NOMINATIONS

Executive nominations received by the Senate January 5, 1927

APPOINTMENTS IN THE REGULAR ARMY

GENERAL OFFICERS

To be brigadier general

Col. Alston Hamilton, Coast Artillery Corps, from January 19, 1927, vice Brig. Gen. Thomas H. Slavens, who is to be retired from active service January 18, 1927.

QUARTERMASTER CORPS

To be assistant to the Quartermaster General, with the rank of brigadier general, for a period of four years from date of acceptance

Col. Francis Horton Pope, Quartermaster Corps, from January 24, 1927, vice Brig. Gen. Moses G. Zalinski, assistant to the Quartermaster General, who is to be retired from active service January 23, 1927.

APPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICER

To be brigadier general, reserve

Brig. Gen. Robert Morris Brookfield, Pennsylvania National Guard, from December 23, 1926.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 5, 1927

POSTMASTERS

ARKANSAS

William B. Owen, Alma.
James S. Burnett, Clinton.
Seth Boles, Dardanelle.
William B. Pape, Fort Smith.
James F. Hudson, Lake Village.
James G. Brown, Magnolia.
Cooper Hudspeth, Nashville.
Robert H. Willis, Watson.

CALIFORNIA

Carrie V. Stoute, Saratoga.

FLORIDA

Zoel Hodge, Dowling Park.
Charles W. Stewart, Naples.
Thomas H. Milton, Trenton.

IDAHO

Joseph S. Cooper, Carey.

IOWA

Frank B. Moreland, Ackley.
Henry C. Haynes, Centerville.
Albert R. Kullmer, Dysart.
Benjamin S. Borwey, Eagle Grove.
George F. Monroe, Fairbank.
Guy A. Whitney, Hubbard.
George Banger, La Porte City.
Raymond S. Blair, Parkersburg.
George Sampson, Radcliffe.
Linn L. Smith, Webb.

MAINE

Ida K. Stewart, South Gardiner.

NORTH CAROLINA

Roy F. Shupp, New Bern.

NORTH DAKOTA

Nellie W. Fowler, Center.
Orrin McGrath, Glen Ullin.
August Kreidt, New Salem.
John V. Kuhn, Richardton.

OKLAHOMA

Luella Sloan, Ketchum.

VIRGINIA

William G. Faris, Glade Spring.
Matilda W. Campbell, Greenville.
Thomas N. Massey, Mount Holly.
Mathew B. Hammitt, Pocahontas.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 5, 1927

POSTMASTER

SOUTH CAROLINA

Parnell Meehan to be postmaster at Chesterfield, in the State of South Carolina.

HOUSE OF REPRESENTATIVES

WEDNESDAY, January 5, 1927

The House was called to order at 12 o'clock noon by Mr. TILSON, Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, about Thy holy name cluster the most sacred affections of earth. There are none so ignorant but that they can be led by Thy spirit, and there are none so wounded but that they can be healed by Thy touch. Impress us that a defeated life means an undiscovered God. Establish for us a right-a-way that leads into the wisdom, peace, and blessedness of an ageless life. Bless us with a pure heart that sees God and that moves on in rare discernment among the forces of this work-a-day world. Amen.

The Journal of the proceedings of yesterday was read and approved.

FLOOD AT NASHVILLE, TENN.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to proceed for not exceeding three minutes.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Speaker, it is but natural that each Member of this House should be proud of his district and his constituency, and it is, of course, proper that they should. Yet in all the years of my service here I do not feel that I have witnessed an occasion which so thoroughly justified the pride which I have always felt for the splendid citizenship I have the honor to represent.

The entire Cumberland Valley has recently been visited by the worst flood of its history. My home city, Nashville, suffered the most terrific damage of any section in the valley or in the entire South. From six to ten thousand of her citizens are homeless. Thousands have been thrown out of employment by reason of the fact that many industrial plants are under water. Damages amounting to several millions of dollars have been suffered by the business interests of the city. Several days ago I wired to Hon. Hilary E. Howse, the mayor of Nashville. I am sorry that all of you do not know Hilary Howse. He is one of the most charitable of men and one of the best mayors in the United States. I asked him if the situation in Nashville was sufficiently urgent to require Federal aid. His telegram to me is indicative of the man who is at the head of my city government, and of the character and the spirit of the citizens of that city. It is as follows:

HON. JOSEPH W. BYRNS,
Washington, D. C.:

Telegram received. Waters receding. No loss of life. No suffering. City and county jointly taking care of the flood sufferers. Need no Federal aid, but thank you.

HILARY E. HOWSE, Mayor.

[Applause.]

The good people of Nashville individually and through their city and county governments promptly responded to every need without even asking the aid of the Red Cross, and \$50,000 was raised to care for those who are suffering from having been driven from their homes or being suddenly thrown out of employment. More will be forthcoming if needed, and I felt it proper, as a matter of pardonable pride, to call the attention of the country to this evidence of self-reliance and the charitable spirit of the citizens of my home city. [Applause.]

PENSIONS

Mr. SWOOPE, from the Committee on Invalid Pensions, by direction of that committee, reported the bill H. R. 13450, granting pensions and increase of pensions to the widows and former widows of certain soldiers, sailors, and marines of the Civil War, and for other purposes, which was referred, with the accompanying papers, to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. GARRETT of Tennessee reserved all points of order.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed with amendments the bill of the House of the following title: "H. R. 15008, entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes,' in which the concurrence of the House is requested."

The message also announced that the Vice President had appointed Mr. CURTIS a member of the George Washington Bicentennial Commission, vice Mr. Spencer, deceased.

ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reports that this day they presented to the President of the United States for his approval the following bill:

H. R. 10929. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct a bridge across the Little Calumet River in Thornton Township, Cook County, Ill.

ENFORCEMENT OF PROHIBITION

Mr. CELLER. Mr. Speaker, I rise to a question of personal privilege and ask that I may be permitted to proceed for five or eight minutes.

The SPEAKER pro tempore. The gentleman will state his matter of personal privilege.

Mr. CELLER. I shall in a moment—

Mr. SNELL. I think that should be stated first, Mr. Speaker. The SPEAKER pro tempore. The Chair has requested the gentleman to state his matter of personal privilege.

Mr. CELLER. In my absence from the Chamber yesterday I note, from the reading of the RECORD this morning, that the gentleman from Massachusetts [Mr. UNDERHILL] characterizes a statement made by me on Monday as "an absolute and unqualified falsehood." I rise now to be permitted, as a question of personal privilege, to deny that characterization of my remarks which I made in the Chamber here.

Mr. DOWELL. Mr. Speaker, I make the point of order that the gentleman has not stated a matter of personal privilege at all. It is a mere statement of a Member of the House upon the floor in reply to the gentleman's statement on the floor and there is no question of personal privilege involved.

The SPEAKER pro tempore. The Chair does not recognize in the gentleman's statement a question of personal privilege. The gentleman can ask to have the language stricken from the RECORD, but it seems to the Chair that if, when one gentleman says another has told a falsehood, the other replies that he has told another, there would be no end to the discussion of questions of personal privilege. It seems to the Chair that the gentleman has not stated a question of personal privilege.

Mr. CELLER. Mr. Speaker, then I ask unanimous consent that I may be permitted to address the House for five minutes or eight minutes.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, it would be interesting to know whether the gentleman himself refers to the remarks he actually made in the House or to the remarks which subsequently appeared in the RECORD.

Mr. CELLER. I refer to the remarks I actually made in the House.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the gentleman has just admitted that he made certain statements on the floor and that those statements did not appear in the RECORD, but they have been spread all over the United States through the press. I think before we give the gentleman further privilege of the floor we should have some idea as to whether he proposes further to do what he can to bring this body into disrepute by making similar statements.

Mr. CELLER. Of course, I deny that this body has been brought into disrepute, Mr. Speaker, and I think it is unfair for the gentleman to so characterize what I stated, because I yield to no man in my admiration for the House and its traditions.

Mr. CRAMTON. I have no desire to prevent the gentleman making such defense of himself and of his remarks as he thinks proper, with due consideration to this body, but without some knowledge as to the nature of his discussion I should be obliged to object at this time.

Mr. CELLER. I might say to the gentleman from Michigan that I shall not say anything in my remarks, if the gentleman will permit them to be spoken, that will be in any sense derogatory of this membership or which would militate against the lofty traditions of this House or its aims for the future.

Mr. CRAMTON. I have a high regard for the gentleman. I think his judgment and mine as to what is derogatory of this body may greatly differ, still I have great confidence in the gentleman and I think I will not object, but further reserving the right to object I will make this observation. The time has come when the membership of this House ought not further to permit such scandalous attacks upon the membership to go unchallenged, and after the splendid defense of this body from the gentleman from Massachusetts [Mr. UNDERHILL] it seems a psychological moment to call a halt

on that sort of tactics. But in view of the assurance of the gentleman from New York as to the character of the remarks he now proposes to make, I withdraw any objection.

Mr. BRAND of Georgia. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question. Does the gentleman propose to apologize for the remarks that Mr. UNDERHILL, of Massachusetts, said he made, or to deny them?

Mr. CELLER. No; I will not apologize. I stand by my guns.

Mr. BRAND of Georgia. The gentleman did not fully understand my question.

Mr. CELLER. I shall not apologize. I offer no apology because no apology is necessary.

Mr. BRAND of Georgia. I asked if the gentleman wished to apologize for the remarks which the gentleman from Massachusetts said he made here on Monday.

Mr. CELLER. I do not.

Mr. BRAND of Georgia. Then do you propose to deny them?

Mr. CELLER. I ask for an opportunity to explain my remarks and to give the membership an adequate idea of what I intended and what I actually said, rather than the somewhat garbled statement of what I did say, which issued from the lips of the gentleman from Massachusetts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker and gentlemen of the House, the New York Times, in the issue of January 4, carried the following:

"I do not want to make it attractive," Mr. CELLER replied, "but the Government does not have to resort to lynch law to enforce this act. Members of this House and of the other Chamber drink, and drink to excess, and those who drink this kind of alcohol are simply aping them."

"If it is possible for Members of Congress to drink, let us make it difficult but not murderous to others less informed and less intelligent than Members here."

It is a faithful representation of what I alleged on Monday last. The gentleman from Massachusetts [Mr. UNDERHILL], whose usefulness in this Congress is unquestioned, challenged my assertions concerning the Members of the House, "that that statement made yesterday is an absolute and unqualified falsehood." There is therefore called in question the veracity or the falsity of my remarks. When I revised my remarks for the RECORD I deleted the words "drink to excess"—words which had been uttered in the heat of debate, particularly after the question fired at me by the gentleman from Texas. I made the change for the purpose of softening my language but not its import. I stand by my guns.

In the first place the gentleman from Massachusetts lifted my words from its context and gave them a new and different setting. My avowed purpose was to show that the victims of poisoned alcohol are the poor and lowly and the ignorant. When they drink they simply ape their betters, and those betters include Members of Congress, only the latter with superior knowledge know where to get the good stuff and the former with less knowledge and less wherewithal get their liquor from every source, including the poisoned.

I yield to no man in my admiration and respect for the Members of this House, for its honored history, and its splendid aspirations for the future. Its record is unmatched in the annals of ancient or modern times. It far transcends the honor and glory of all tribunals, including the Roman Senate, the British Parliament, the German Reichstag, the Spanish Cortez, and the French Chamber of Deputies.

But are we so thin-skinned as to resent criticism? If I remember rightly, when John Sharp Williams left the Congress he said he would rather bay at the moon than remain in Congress, and Henry Clay said he flies from Congress as one would from a charnel house. Of course, their reflections did not hurt the Congress they left, nor have they hurt us. The Congress is not perfect. It is entitled to receive criticism. Its Members are not infallible. They are endowed with all the frailties to which human flesh is heir. It is natural that some of them drink. That is a human fault. Some of the best men in our history were drinkers. Not so long ago we dedicated a monument to Alexander Hamilton, who often became "liquorish at the table." And Monday we passed a bill to erect a statue to Albert Gallatin, a leader in the whisky rebellion.

Mr. CRAMTON. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. CRAMTON. The gentleman from New York goes a long way back to justify his charge as to the present habits of Members. The gentleman does not contend that that monu-

ment is to be erected to Albert Gallatin because he was connected with the whisky rebellion but in spite of it.

Mr. CELLER. You can not disassociate the fact from his life. He, born in Switzerland, pulled himself up by the boot straps to the position of Secretary of the Treasury; and you can not rip out of his life the fact that he was a leader of the whisky rebellion.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. OLDFIELD. Mr. Speaker, I think the gentleman is wrong in regard to his assertion about the whisky rebellion. I have read the life of Mr. Gallatin, and I do not find that.

Mr. CELLER. Mr. Speaker, I ask unanimous consent for three minutes more. In revising my remarks I answer the gentleman from Arkansas to see Jefferson and Hamilton, by Bowers, page 70; Life of Gallatin, by Henry Adams, page 87 and the following; Americana, volume 12, under Gallatin.

Mr. FRENCH. Will the gentleman need more than three minutes?

Mr. CELLER. No.

Mr. TEMPLE. Will the gentleman yield?

Mr. CELLER. No; I have only three minutes.

It is absurd to make us in this House lily white. That were hypocrisy. Nothing will more sap and undermine our democracy than hypocrisy and chicanery. The gentleman from Massachusetts would give the impression that there is no drinking in the Congress. The rank and file of men throughout the land do not believe this. Furthermore, they will not brook the hypocrisy of being privately wet and publicly dry. "Drinking to excess" is a relative term and I should say the "dry" who drinks is excessively selfish. He would deny to others that which he does not deny to himself. His wrong is all the greater because he assumes a lofty attitude which is purely Pecksniffian.

Mr. CRAMTON. Mr. Speaker, I want to suggest that if the gentleman is trying to convey to the country the impression that drinking by the dries prevails in this House the gentleman is violating the agreement with me.

Mr. CELLER. That there is drinking in the House—

Mr. CRAMTON. There is not drinking in the House to any appreciable extent and the gentleman has no right to give the country an impression to the contrary. [Applause.]

Mr. BLACK of New York. Does not the gentleman think the country would appreciate a few of the dries going off on a good spree?

Mr. CELLER. It is the same kind of easy virtue and slipshod morality that permits and sanctions the maintenance of speak-easies by the Government to entrap the people, that allows a prohibition agent to make love to a girl in order to obtain evidence against her for Volstead Act violations, that permits employment of undercover men and stool pigeons and agents—provocation that harks back to nihilistic Russia; that permits murder by poison being put into alcohol; that permits the "man with the green hat," who was found in the House Office Building last March having on his person evidence of a violation of the prohibition act, and who to-day is unwhipped of justice. Almost a year has elapsed, and I ask the dries to tell me why he has not been prosecuted. His name is George L. Cassidy, and there has been no indictment against the gentleman, if I am correctly informed.

Mr. CRAMTON. If the gentleman could have his way and it was not possible for officers to purchase liquor from "the man with the green hat," of course it would be impossible to prosecute him; but as a matter of fact a court has just decided that the liquor seized on his person is proper evidence in the court and his case is coming back, and he has been indicted and is now awaiting trial.

Mr. CELLER. Tell me why he has not been brought to justice up to this late hour?

Mr. BUSBY. I am reliably informed that he was, on another charge, immediately sent to jail for 90 days and that he served that time.

Mr. CELLER. That has nothing to do with the fact that up to this time he has not been brought to justice.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15641) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1928, and for other purposes. Pending that motion I suggest that we agree on time for general debate. I have requests for about one

hour more of time. How much time does the gentleman from Kansas desire on his side of the Chamber?

Mr. AYRES. I think about an hour.

Mr. FRENCH. I have yielded considerably more time than has the gentleman in charge of the time on the other side, and unless he would divide up in the yielding of time to those on my list, it would be necessary for me to ask for more time.

Mr. AYRES. I am perfectly willing to do that.

Mr. FRENCH. Disregarding the amount we have used relatively?

Mr. AYRES. Certainly.

Mr. FRENCH. Then, Mr. Speaker, I ask unanimous consent that general debate upon the bill close in two hours, one-half of that time to be controlled by myself and one-half by the gentleman from Kansas [Mr. AYRES].

Mr. EDWARDS. Mr. Speaker, reserving the right to object, is debate being confined to the bill?

Mr. FRENCH. Not general debate.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that general debate be limited to two hours, one-half to be controlled by himself and one-half to be controlled by the gentleman from Kansas. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Idaho that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15641, the Navy appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. CHINDELOM in the chair.

The Clerk read the title of the bill.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to have read from the Clerk's desk a letter that will be illuminating upon some of the discussion on the floor of the House yesterday, and what also appeared in the press yesterday.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that the Clerk may read a letter which has been sent to the Clerk's desk. Is there objection?

There was no objection.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, January 5, 1927.

HON. BURTON L. FRENCH,

House of Representatives, Washington, D. C.

MY DEAR MR. FRENCH: This is to assure you that when I send a Budget to the Congress it represents my best judgment, and that I feel it my duty to defend it and support it, which I do at all times unless I send up a supplemental estimate. This is sent to you because of certain reports which have come to me relative to further appropriations for the building of cruisers. The fact that I have expressed to certain members of the House Naval Committee my willingness to approve an authorization for more cruisers, if the Congress wished to provide for them in accordance with the recommendations in my general message, has apparently resulted in the confused conclusion that I had changed my attitude on my Budget message in relation to building more than the five cruisers which we are now building during the present year.

Very truly yours,

CALVIN COOLIDGE.

Mr. FRENCH. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Chairman, I am obliged to the distinguished gentleman from Idaho [Mr. FRENCH] for yielding to me at this particular moment. By that I mean to refer to the letter which has just been read from the White House, indicating to the chairman of the Subcommittee on Appropriations handling this bill and to the House that the President has not changed his mind concerning the appropriation for first-line cruisers during the present session of Congress. The President in his annual Budget message to the Congress said in substance—and, by the way, his language is quoted in the very able report that has been presented to this House by the committee—that because of a conference held last summer and to be continued next year in Geneva, looking toward the reduction and limitation of armaments, he considers it unwise at this time to appropriate for more ships. Let me tell you gentlemen something about that conference. I think it is a farce and a joke. There will never be any agreement from that kind of a conference—a conference composed of 19 nations, many of them without a rowboat, many without a harbor, not voting their desires in fact to limit naval armaments, but voting because of their political ties with one nation or another over there—and I go over there every year, my

friends, as most of you know, and I try to learn something on those trips. France is financing Czechoslovakia in a military, a political, and a diplomatic sense. Does anyone believe that Czechoslovakia would vote in any way which would be displeasing to France? France is doing the same thing for Poland, and does anyone believe that Poland would vote against the wishes of France? Certainly not. What do they care about the navies of the world. Not as much as the snap of a finger. It is their respective armies and the support they can get back of those armies that they are interested in. Yet the representatives of those countries sitting on that conference last summer had an equal vote with our distinguished admirals, Hilary Jones and "Andy" Long, and with the admirals representing Great Britain and Japan.

Is not that a ridiculous state of affairs? Does anyone believe that it is possible in a thousand years to bring those nations together on an agreement for a reduction or limitation of naval armaments? Why, it is a farce. And yet we are asked to not appropriate for cruisers at this session of Congress because of that silly conference on the other side.

Our two distinguished representatives to that conference came before the Committee on Naval Affairs two weeks ago and said that at the present moment, after sitting all summer, they had been unable to agree even upon the fundamentals of drawing up a piece of paper under which they might proceed to confer. Just as long as Czechoslovakia, Finland, Hungary, Poland, and other small nations of the world, having no sea power at all, engage in a conference for the reduction and limitation of naval armaments there will be no agreement. They are conferees for trading purposes only, and we will do well to stay out of Europe, where we will surely be trimmed. There never will be another scrapping agreement until the rich United States has something to scrap. When the question of scrapping is up to foreign countries there will be no agreement, because they are not as idealistic as we are. I do not blame them, after the blunder we made in 1922. They are profiting by our experience, by our very costly experience. It cost us hundreds of millions of dollars and the first place on the high seas. What a Navy we would have had but for that fatal conference! When Charles E. Hughes laid down a formula for the reduction and limitation of armaments, as my friend from Georgia [Mr. VINSON] stated yesterday, he provided for the scrapping of a lot of ships, not only first-line ships, but of cruisers and submarines and all other kinds of ships of war. What developed from the conference? Where we had 800,000 tons to scrap the foreign nations agreed instantly. Where they had a preponderance of cruisers and submarines to scrap, they bowed politely and disagreed, and they did no scrapping.

I say to the President of the United States, I want to follow him always, whether that President be a Republican or a Democrat; but when he is wrong I refuse to follow him; and I think he is wrong in this instance. [Applause.] If the suggestion that was made by the distinguished chairman of the Subcommittee on Appropriations on the naval bill yesterday is followed, that we do not appropriate until some agreement has been made on the reduction and limitation of armaments, my good friends, we will find ourselves in the sixth place among the navies of the world before long; not the second or third, but fifth or sixth. When the gentleman says, as he did on yesterday, that in five years from now our cruiser status will be better than it is to-day, I must suggest to him that it can not be better than it is to-day without appropriations, and his bill fails to bring in an appropriation for the three ships that were authorized in 1924; three cruisers that are not in conflict with the President's financial policy; three cruisers that are not in conflict with the President's diplomatic policy; three cruisers that are not in conflict with the desire and wishes and advice of the Director of the Budget. I say, my good friends, that now is the time to appropriate for those cruisers. The country wants them. The country is informed concerning their need. We are the greatest treasure storehouse in the world, with billions upon billions of dollars in wealth, in commerce, in industry, and in everything that is desirable, and everything that foreign countries would like to possess. Yet it is suggested here to-day that we should ignore the insurance of that tremendous treasure. There is probably not a man on the floor of this House at this minute who would willingly or knowingly let our Navy as a whole go into a second or third rate classification among the navies of the world; yet that is just exactly the status we occupy.

We have occupied it, my good friends, from the very day the Washington treaty was signed, as was very cleverly shown by this chart which was presented here yesterday by the distinguished gentleman from Idaho [Mr. FRENCH], and I take this opportunity to say that in his remarks throughout—and I followed him very closely—he was entirely fair and very frank

in making the best of the job he had on hand, and I do not blame him for that. No one would say that the gentleman is unfair to the House, because he is not. I have asked him to let me use the chart that he used yesterday because the House would have confidence in those figures as he presented them. I am not going to disprove any of those figures that he presented yesterday. I am going to prove them to you and show how badly we really need cruisers to round out our Navy.

We can not go ahead on battleship construction now. The Washington treaty proscribes that. But we can build cruisers, and we can do just exactly what Japan and England have done since 1922. Some might say that we are reverting to competition in naval armament. Of course, it is competition. Everything in life is competition, otherwise you and I would not be here. We have competed to get here. We will do so again two years from now. Life without competition and ambition would not be worth living.

Japan and England, just about as soon as the ink on the Washington treaty was dry, started to do what Europeans and Old World diplomats always do—to evade the thing they have just agreed to. Why, England and France can draw a treaty-to-day affecting Mesopotamia, the Dardanelles, or some other location, and to-morrow morning each of them will be seeking a way to evade that treaty. European diplomacy is based almost entirely on deceit. Make the other fellow think you are going to do something that you are not going to do. That is the reason why there will never be a limitation of armaments treaty in Europe. It can not be done because they do not trust each other, and I do not blame them much.

Mr. BLANTON. Before the gentleman gets away from that point will he permit me to ask him a question?

Mr. BRITTEN. Yes; although I have requested that I be not interrupted.

Mr. BLANTON. Conceding what the gentleman says to be true, this is what is in my mind, and I am following the gentleman's proposition by necessity only: Did we sign that 5-5-3 pact here in Washington?

Mr. BRITTEN. We did.

Mr. BLANTON. Suppose they are evading it or disregarding it. Shall we keep our contract until the President, who only has the power to set it aside, does set it aside?

Mr. BRITTEN. You would not leave your house open at night, with the doors unlocked, when burglars are around?

Mr. BLANTON. Should we not keep our contract?

Mr. BRITTEN. Yes, and we are keeping our contract; we are leaning backward in an attempt to keep even the spirit of the Washington conference of 1922, and there is no intention on our part to evade that contract; but bear in mind that Japan has built 12 ships to our 2 since 1922 for no apparent reason. It is not for the protection of trade routes that used to apply years ago when there were pirates and buccaneers on the high seas. We have a four-power treaty on the Pacific providing for the maintenance of peace and arbitration there, a treaty signed by Great Britain, France, Japan, and ourselves. That being so, why should Japan build 12 cruisers to our 2 since the signing of the Washington treaty? What is the necessity for this tremendous military preparation? Why go around the spirit of the treaty in order to do the very thing the treaty says they should not do? Scout cruisers are second in actual conflict only to the big battleship.

Mr. Chairman, the scout cruiser is a very important element in the Navy. It is, so to speak, the cavalry of the Navy. Its principal functions are scouting and traffic control. The scout cruiser pushes forward, gains contact with the enemy, and sends back messages as to their disposition. The scout cruiser is able to do this better than any other unit. During the war the Navy Department of the United States gave its attention to building destroyers. That was on account of the fact that our allies were very short of destroyers and were threatened with a submarine menace. They had a sufficiency of scout cruisers. We built these destroyers with that specific end in view, but did not build scout cruisers. A destroyer can not take the place of a scout cruiser. The scout cruiser is infinitely better on the scouting line and for gathering information. A destroyer can not keep the sea as long as a scout cruiser can. She has not the cruising radius. She has to put back to shore to refuel. When the time comes and you are pushing forward you find in front of the enemy a screen of their vessels. It is then important to get back of the screen to see what their dispositions are behind. The destroyer can not penetrate the screen because she has not the gun power. If she runs into a flotilla of destroyers she must go back. The scout cruiser can penetrate and go through, because she has the gun power.

In their rôle for the protection of our own commerce and for attack on the enemy's commerce vessels of high speed and large cruising radius are necessary. The disturbance and loss

to allied commerce in the early days of the World War through the presence on the trade routes of a small number of German light cruisers can be vividly recalled. Allied commerce on all the seas was not safe until these German cruisers had been hunted down and destroyed. Their destruction was accomplished by the light cruisers of the Allies.

Mr. BLANTON. Is there any man in our Government better informed as to existing conditions in the Navy than the President of the United States?

Mr. BRITTEN. Yes.

Mr. BLANTON. Who?

Mr. BRITTEN. FRED BRITTEN and many other Members of the House who have studied naval affairs for many years. We all know more about the Navy than the President does, and rightfully so. [Applause.]

Mr. BLANTON. Is not the President as loyal as anybody else?

Mr. BRITTEN. Yes; he is sincerely loyal and learned. The man who fails to keep his house insured against fire and theft may be just as good a citizen as the man next door to him who does carry that insurance, but he is not so sagacious a citizen. I maintain we are jeopardizing the national defense when we refuse to protect it, and a weak, unbalanced navy is not the kind of protection the greatest nation on earth should possess.

Mr. O'CONNELL of New York. And Japan has built these ships outside the treaty?

Mr. BRITTEN. Yes; Japan has built these ships outside the treaty because the treaty does not limit those ships; but in spirit, I will say to my friend from Texas, all ships of war should have been controlled under the 5-5-3 ratio.

The distinguished gentleman from Idaho [Mr. FRENCH] on yesterday presented the figures that appear on this chart, and he said they had been compiled by the Navy Department at his suggestion. You will note that this chart contains a reference to cruisers and light cruisers, and that is a very important element in the argument I am trying to present to the House.

On this chart there are shown some second-line cruisers, 11 of them, with a tonnage of 139,450. One hundred and thirty-nine thousand tons of junk are what those cruisers are. They are not cruisers at all and should never be classified as warships. Some of them were built before the year 1900, and eight of them were built more than 20 years ago. They are in commission in a sort of haphazard way; some of them have half of their boilers taken out; some have lost their smokestacks and some are up the Yangtze-kiang in China. Those old hulks are worth nothing and have not the slightest comparative value.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman 10 minutes.

Mr. BRITTEN. I thank the gentleman.

Mr. MILLER. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MILLER. There has not been one of those cruisers built since 1905.

Mr. BRITTEN. That is true. They are old hulks that could only be used to frighten natives in the Congo. Not one of them is fit for use as a ship of war. The gentleman from Idaho very plainly told that to the House, though not in the same language I am using. He said those ships were 20 and 25 years old, and he made the best comparative argument he could with the material at hand. Take that 139,000 tons out of there and what have we left? We would be woefully behind in cruisers. Ah, but the gentleman from Idaho says see these 40 cruisers of Great Britain's. Many of them are very light in tonnage. It is true they are light in tonnage, my friends, but Great Britain, Japan, and the United States classify them as first-line cruisers. Well, they might say they are small.

Let us see what sort of a punch they have—and when I use the word "punch" I mean let us see the kind of guns they carry—and you will find we are vastly outclassed in guns even by those small ships. Admiral Bloch before the committee this morning said that one of our modern cruisers could defeat all of the 11 without musing a smokestack. The Navy General Board has presented a request signed by 11 of the highest ranking admirals we have in the United States Navy that these eight ships be built as quickly as possible; and I am talking to the House now with a view to influencing those who may not be as well posted as the gentleman from Idaho and other members on the Committees on Naval Affairs and Appropriations. I am attempting to post you so you may have the facts upon which to vote this afternoon or to-morrow on an amendment that is to be presented to this bill which will provide for an appro-

priation for the three cruisers the President said were not in conflict with his foreign or financial policies in 1924.

Now, let me tell you, my friends, that in 1931—and that is not far from now—we shall have 15 first-line cruisers, and only 15, while Great Britain will have 54 and Japan will have 25. Our total cruiser tonnage in 1931 will be 125,000; Great Britain's will be 332,000; Japan will have 156,000. Certainly a bad showing for us.

The gentleman from Idaho on yesterday repeatedly told the House that in cruisers and in submarines we were not up to the 5-5-3 ratio. He was very frank with the House. Now, the question is, With all the wealth that is in this country is it possible that we are going to remain below the 5-5-3 ratio when the country, your constituents and mine, demand protection and proper appropriations? I personally think the House will appropriate for three cruisers, notwithstanding the President's very courteous letter to Chairman FRENCH this morning advising contrary action.

Now, let us talk about the punch in these ships. The largest gun carried on any of these first-line cruisers is an 8-inch gun which is the limit provided by the Washington treaty, and we have 47 on our 15 ships.

Great Britain has 110 and Japan 56. With 7½-inch guns, almost as large as the 8-inch, Great Britain has 41 and we have none. So Great Britain has 151 guns to our 47, or more than three times as many.

It is the punch that delivers the business in war time, not cold steel in the hulk. It is the projectile that does the business. Great Britain has three times as many 7½ and 8 inch guns as we have, and Japan has about 10 per cent more.

In the 6-inch guns we have 120, Great Britain has 177, and Japan none, so that in total gun power we have 167, Great Britain 328, and Japan 138. What a deplorable showing. According to the spirit of the treaty, at least, we should have nearly twice as many as Japan.

Let us see about antiaircraft protection. Of the 4.7-inch guns, Japan has 8. Of the 4-inch guns, we have 20 and Great Britain has 97; 3-inch guns, we have 40, Great Britain 51, and Japan 48. Thus in antiaircraft batteries our cruisers carry 60 guns to Great Britain's 148 and Japan's 56—another shameful showing for the world's greatest nation.

I maintain, gentlemen, in all sincerity, that your constituents and mine do not know that this condition prevails. I can not conceive how a constituency would be for placing the American Navy behind the Japanese Navy. As a matter of sheer pride, it should not be done. And let me suggest, gentleman, that I am not shaking sabers or talking jingo. There is not a speck on our political horizon that indicates a war or any discontent among our neighbors and friends abroad. But friends of to-day are enemies of to-morrow. President Coolidge has said that war "was accidental." Most of these nations owe us thousands of millions of dollars, and you and I know that when a man owes us money he does not feel very kindly about it. It is up to us to protect our storehouse of wealth and, my good friends, this is the only way it can be done. It is the man behind the punch who goes by unmolested in your neighborhood and mine, and it is the nation with the biggest guns that has the best life-insurance policy.

I have told you about what Great Britain and Japan have done in the building of first-line cruisers since the treaty. Let me suggest to you that we have built and laid down 29 ships of war of the various kinds since 1922.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. BRITTEN. I will in just a moment.

We have built and laid down 29, Great Britain 37, Japan 101. There is no jingoism about these figures. They come from the Navy Department. The question is, Are we going to sit idly by in the apparent interest of economy and throw our national defense to the winds? Of course, we are not. Other Presidents and other administrations have tried to lead Congress in matters of national defense, but after all, my good friends, we, too, have a constitutional responsibility that calls upon the Congress to provide for the national defense adequately, and that is what this House is expected to do to-day.

Opponents of our amendment will say, "Well, we have our first-line ships, our great battleships, and dreadnoughts"—

Mr. LAZARO. Will the gentleman yield for a question now?

Mr. BRITTEN. Yes.

Mr. LAZARO. Is it not true that England, on account of her navy, has never been invaded?

Mr. BRITTEN. It is true that England, on account of her navy, has never been invaded; quite so; and if we in Congress do our duty we will never be invaded either. Ship for ship and man for man we ought to be equal to anything in the

world. We are with proper appropriations. Without proper appropriations we are not.

It will be suggested that we have superior first-line battleships. We have 18 first-line ships. Great Britain has 20.

Do you realize that in 13 of our 18 ships our guns are outranged by every single one of Great Britain's 20 ships? Think of it! In 13 of our 18 ships every single first-line ship of Great Britain has guns that outrange ours.

Then the suggestion comes, what about speed? Maybe, even with that disadvantage, we might be able to run away and fight some other day. We can not do that, because in speed, 17 of Great Britain's 20 battleships have greater speed than every one of our 18. So if our short range can not hit them and our speed can not catch them, just where would our chances of success lie in an engagement?

I suggest to you, my good friends, that the question of voting on the amendment which will be presented to-morrow probably by the distinguished leader on the Republican side of the House is of tremendous importance. It is an indication to the world that we intend to properly maintain our national defense. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman five minutes more.

Mr. BRITTEN. I hope I have made my point clear. I thank the gentleman very much for his kind offer, but I will not usurp further time of the House.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Alabama [Mr. OLIVER] 20 minutes. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman and gentlemen of the committee, I think the House is to be congratulated on the fine spirit that has characterized thus far the discussion of this important bill, and I beg to express the hope it may continue. Without intending to depreciate the value of other excellent speeches, I wish to call special attention to two speeches made on yesterday, full of accurate and informing facts relative to the Navy in 1922, and brought down to date. I refer to the speeches made by the gentleman from Idaho [Mr. FRENCH] and the gentleman from Georgia [Mr. VINSON]. [Applause.] A careful reading of these two speeches will well qualify any Member to vote intelligently on the disputed items that later will come up for consideration under the pending bill.

A careful reading of the speeches, to which I refer, will disclose that there is no conflict in the two statements. Both gentlemen secured their data from the Navy Department, and that data is accurate, so far as the Navy Department is informed.

There is but one omission from the statements made which I regard as important and which no doubt was omitted because it was thought to be generally known; it is a further concession that our Government made in the signing of the treaty, and one which has far-reaching military value, and that is the agreement not to fortify any bases west of Hawaii. Remember that ships of war, however fine, however splendidly manned, need, when cruising far away from home waters, near-by bases, and without them the effective military value of ships is limited and greatly circumscribed. So when you add that to the concessions already called attention to, I think we are well within the bounds of actual facts in saying that this country agreed to surrender in naval strength far more than any other signers of that treaty. [Applause.]

At least we thereby served notice on the world that we sought no military or naval strength that could ever be looked on as a threat against the peace of any nation. Actions always speak louder than words, and when by the terms of the treaty we voluntarily agreed to scrap modern capital ships of cruiser and battleship types greater in power, in speed, in military efficiency than had ever been designed by any navy in the world, I think we certainly carried to all the conviction of our sincerity for peace and likewise our desire to lead the world in lifting the heavy financial burdens imposed by the old spirit of rivalry and competitive building. [Applause.]

Whatever may have been the mistakes made in the signing of the 1922 treaty, we are still bound by its terms and have violated neither the letter nor the spirit of that treaty. There are justifying grounds for saying that some of the nations, whether aware of it or not, have perhaps violated the spirit of the treaty at least by some of the ambitious building programs they have promulgated since 1922.

However, we have asked the President to call another conference with a view of again urging on the nations of the world a further limitation of armament and once more to place before them, as we did in 1922, the importance of placing

a limitation, not alone upon capital ships, but likewise on all types of ships under 10,000 tonnage.

My friends, if such a conference is called—and the President has given assurance that there will be one, and that in the near future—then if it is to be effective, there must be present at such time a spirit of confidence, of cooperation; and I submit we may well wait until after such conference shall be held and the results known before we begin any ambitious program looking to large additions to our Navy's matériel within the limits permitted by the treaty.

The gentleman from Pennsylvania has rendered a distinct service to the Nation, and perhaps to the world, in rightly serving notice that we, desiring no Navy that will threaten the peace of any nation, are still willing to enter into an agreement with the nations of the world to limit military and naval strength, yet reminding all that we have been patient and persistent in our insistence for further limitations of armament, and should another conference be called and we find the nations unwilling to accede to what we believe to be just and fair limitations, then the building programs of other nations will not be longer overlooked, and careful study will be made and appropriate action taken to maintain our ratio strength to the fullest within the limits of the treaty. [Applause.]

May I now say to my friends on the legislative committee that I do not think that the best naval expert opinion of America will ever give approval to the suggestion that the urgent, pressing needs of our Navy can best be met by merely adding to the cruiser strength in vessels of 10,000 tonnage and under. I fear that this insistence for additional cruisers is being overemphasized, and that the country may fail to grasp that there are other types that are needed, and which, within the limits of the treaty, can be added and increase the efficiency of the fleet far more than mere cruiser additions would.

Mr. MONTAGUE. Will the gentleman yield?

Mr. OLIVER of Alabama. I will.

Mr. MONTAGUE. What evidence has the gentleman that the President will invite in the near future a conference for the limitation of armament?

Mr. OLIVER of Alabama. Our subcommittee had reliable information that the President contemplated that during the present year a conference would be called.

Now, so far as the three cruisers that have been referred to are concerned, the building of which has been emphasized by some as of supreme importance at this time, I am frank to say to you that if it had not been for the attitude of the President the subcommittee would have brought in an initial appropriation for the building of the three cruisers. Here is the way we viewed the situation: Congress has intrusted the President with the power of calling together the nations to consider a further limitation of armaments. He has given us to understand that it is his purpose to do so some time in 1927, and when we further remember that along with the request of Congress for the President to bring the nations together, we have vested him with full and complete power, when such a conference shall be called, to withhold further expenditures under any appropriations you may now make to begin construction, we have felt that our individual judgment should yield to the request of the President in this matter.

If to-day you should vote an initial appropriation for these three cruisers, you will not thereby have taken from the President the power previously given him of withholding the expenditure of that money; and likewise stopping the construction of other ships you may now have in course of building—pending the deliberations of the limitation conference. That is why I say that so long as that power is unrevoked, in view of the assurance of the President that he does not need nor desire an appropriation for the cruisers at this time, we might be doing a mere useless, if not an ungracious thing, in granting the appropriations. We can not doubt the assurance given that a conference will be called. The gentleman from Virginia [Mr. MONTAGUE] asked me whether or not the President has given that assurance. I say to him, yes—not because I have talked with the President, but simply because it has been publicly stated and no one here or elsewhere has taken occasion to deny its correctness.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. BRITTEN. When the gentleman refers to the presidential assurance concerning a future conference, has he not in mind the conference for the reduction and limitation of armaments that will be again taken up in Geneva in April or May of the present year, and to which our representatives will go?

Mr. OLIVER of Alabama. No; and I call to your mind that the President has been requested by resolution of the Congress to call such a conference of the nations himself.

Mr. BRITTEN. That is true, but that is old stuff.

Mr. OLIVER of Alabama. The President has said, as I am informed, that a limitation conference will be held. Whether he has in mind the one to which the gentleman refers or the one which he is authorized, and has been requested by Congress, to call is a matter the gentleman will have to consult the President about.

Mr. MONTAGUE. If the gentleman has in mind the conference to which the gentleman from Illinois [Mr. BRITTEN] has referred, would our representatives go otherwise than as official observers?

Mr. OLIVER of Alabama. I think not.

Mr. MONTAGUE. Would they go as participants?

Mr. OLIVER of Alabama. Not to the old conference, I surmise.

Mr. MONTAGUE. And I am speaking of the Geneva conference.

Mr. OLIVER of Alabama. I would say this in reply to the gentleman: The power has been vested in the President to determine what course, in his judgment, promises the best results, and I assume, in the exercise of that discretion, that he will determine, after mature deliberation, what kind of a conference gives promise of the best results. It matters not what conference he elects to leave the matter to, if he fails to get results, I think you will find the attitude of the House favorable to a building program, within the limits of the treaty, that will leave no doubt as to the maintenance of our treaty ratio.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. BRITTEN. Suppose the conference, such as the one that has been held in Geneva last year and this year and next year, drags on for a number of years, would the gentleman, in his wisdom, advise that we do nothing further toward appropriating for cruisers and airplanes?

Mr. OLIVER of Alabama. I am not interested in basing an answer on an assumption that I do not think will ever happen, and certainly it would not be informing to the gentleman if I should.

Mr. BRITTEN. Has the gentleman any confidence in that sort of a conference?

Mr. OLIVER of Alabama. I can not yield further on that.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Certainly.

Mr. BUTLER. I think my friend will agree with me that I wrote into that act of 1924 the conditions that the President could do this.

Mr. OLIVER of Alabama. Yes.

Mr. BUTLER. Does my friend know that the President has said that he does not want this in the next bill? I speak the truth there and there are witnesses to it. In the bill that has been reported for additional cruisers, that provision is found. I hope it will stay in, although I think the President would have the power to withhold construction.

Mr. OLIVER of Alabama. I think he would under the old authority; but if the President has indicated to the distinguished chairman of the Naval Affairs Committee that in a bill simply authorizing construction, without stipulations in the bill as to when construction shall commence, he would not desire the insertion of the discretionary power heretofore granted, it would seem that the President is in agreement with what I indicate would be the attitude of the House if, after further conference there are no results, that then the President would not ask the House to further withhold appropriations. I say that in fairness to the President.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. LINTHICUM. Do I understand the gentleman to say that even though we appropriate for these additional cruisers, the President would have the power to hold up expenditure of the money and that the cruisers would not be constructed if he so desired.

Mr. OLIVER of Alabama. As soon as a conference is called, either by the President or some one else, to which he sends representatives, whether as official or as unofficial observers merely, then under the language we have carried in many bills, and also in the resolution requesting him to call a conference, he would be authorized to withhold further expenditure of any appropriations we may now make, and the power is broad enough to authorize the President to stop the construction of any vessel, or vessels, now in course of construction. There is no question about that.

Now, I think the gentleman from Georgia will recognize that it is a mistake to lead the country and Members of Congress, who are busy, very busy, with committees on other important matters, and who have not the time to inform themselves on Navy details that the gentlemen and others do, to conclude that you are best providing for the urgent needs of the Navy by overemphasizing the importance of a large authorized building program of cruisers alone. Surely if we should now authorize some airplane carriers, which may have a tonnage under the terms of the treaty far greater than 10,000 tons, and which I venture to say modern naval thought leads us to conclude are more effective, and if in addition to that we should build one dirigible of large size, such as the gentleman from Georgia and the gentleman from Pennsylvania have stated to the House for scouting purposes exceeds in value that of five cruisers, and then take up a program of building, as you say Japan has done since 1922, the best types of submarines, my friends, in the judgment of naval experts, you will have done that which, within the limits of the treaty, will bring the fleet to its highest possible efficiency. [Applause.]

I wish to add we must not overlook our merchant marine.

Mr. BUTLER. Will the gentleman yield?

Mr. OLIVER of Alabama. I will.

Mr. BUTLER. I have had an opportunity of talking with my friend, and we do talk quite a good deal.

Mr. OLIVER of Alabama. And are usually in agreement.

Mr. BUTLER. Not far apart; but let me say to my friend, does he think that the 10-cruiser program originated with me?

Mr. OLIVER of Alabama. I do not.

Mr. BUTLER. Would my friend believe me if I said I never dreamed of it?

Mr. OLIVER of Alabama. I should believe any statement the gentleman may make.

Mr. BUTLER. I thank the gentleman. Does my friend think that the program originated with the House Naval Affairs Committee?

Mr. OLIVER of Alabama. I am not informed.

Mr. BUTLER. I have never heard of it.

Mr. OLIVER of Alabama. The papers seem to attribute authorship to your committee.

Mr. BUTLER. Oh, I understand the papers, and they usually are wrong.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. OLIVER of Alabama. I will.

Mr. VINSON of Georgia. I judge from the remarks of the gentleman, to round out the Navy he would advocate the utilization of the amount of tonnage we are entitled under the treaty as airplane carriers?

Mr. OLIVER of Alabama. I think it is important to give consideration to it, and I have never understood just why the committee did not give to the House the right to determine whether they would like to build additional airplane carriers. You have given no authorization, although I have frequently called it to your attention and that of other members of your committee.

Mr. VINSON of Georgia. The gentleman from Idaho in his opening statement yesterday congratulated the legislative committee upon its not having brought in legislation along that line. The question is, What would be the need of Congress to provide for another carrier when the gentleman's subcommittee refuses to provide the money for airplanes to put on the two carriers already provided?

Mr. OLIVER of Alabama. Perhaps there might arise some difference between the gentleman and myself on the matter referred to, but surely that has not been the reason why the authorization has not been given. I have always favored aircraft development, and I am somewhat surprised to find the gentleman from Georgia laying such great stress on building three light cruisers, to cost about \$45,000,000, when he told this Congress in the closing days of the last session that one lighter-than-air machine serving as the eyes of the fleet was worth more than five cruisers; that such a machine, costing less than \$5,000,000, could scout an ocean surface of 85,000 miles' radius far more effectively than could the five cruisers.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. OLIVER of Alabama. In one minute. In view of the study our committee has given to heavier-than-air machines, and after consultation with those best authorized to speak on that subject, it is our opinion that this type of machine is really still in its infancy, and that no six months can foretell what the next six months will bring forth, and certainly those charged with the responsibility of recommending to Congress the spending of public funds for aircraft must proceed cautiously, seeking always the best and most modern types, and when our committee is authorized to recommend to Congress money for a

five-year building program for aircraft, we may find it unwise to recommend spending in one year all that is authorized.

Give our committee credit, at least, for thinking that temporarily deferring some authorized expenditures for aircraft is prompted by a well-sustained belief that later we will secure airplanes far more efficient and up to date than if we now loaded up with many that may be almost obsolete six months from now. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield there?

Mr. OLIVER of Alabama. Yes.

Mr. VINSON of Georgia. The gentleman speaks of the necessity for the uses that the lighter-than-air craft can be put to. The trouble with the gentleman from Idaho and my distinguished friend from Kansas [Mr. AYRES] and my friend from Alabama is that they will not even give Congress the opportunity to vote either for the cruisers or the lighter-than-air craft.

Mr. OLIVER of Alabama. The gentleman from Georgia is usually absolutely fair, and it is only in a moment of thoughtlessness that he would ask a question that does injustice to any Member, whether friend or foe; and when the gentleman included me in his inquiry he had absolute information that I was in favor of an appropriation for one lighter-than-air machine, and I think when the facts are made known to the House it may give approval. I have no criticism, however, for the members of the subcommittee who disagreed with me, because each of us has his convictions, and when those convictions are frankly and intelligently stated to the House, as will later be attempted, then this House will have the opportunity of deciding whether it desires to approve the majority or the minority views on this subject.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield again?

Mr. OLIVER of Alabama. Yes.

Mr. VINSON of Georgia. I was not quite accurate and did not intend to be when I included the gentleman. The gentleman is now telling the chairman of the legislative committee that to balance the fleet we should utilize the tonnage we have of airplane carriers, but the gentleman knows that he himself, on the subcommittee, refused to put enough money in the bill to buy the 76 that will be needed to complete the complement of the two carriers already authorized.

Mr. OLIVER of Alabama. If the gentleman from Georgia on to-morrow will read the answer I have previously made to substantially the same question which he propounded a few moments ago, he will understand why I insist the question has been answered, and that his present question is now irrelevant and immaterial. I respectfully refer my esteemed friend to the answer previously made.

Mr. VINSON of Georgia. Is it irrelevant when the committee tries to follow the views of Congress in the program as laid down?

Mr. OLIVER of Alabama. Again I respectfully refer the gentleman to the answer previously made, which I think he will find responsive and complete.

Mr. LINTHICUM. The chairman of the legislative committee [Mr. BUTLER] says he was not the originator of the 10-cruiser program. Can the gentleman from Alabama tell us who was?

Mr. OLIVER of Alabama. I am sure the chairman of the legislative committee, if given time, will make known that information if he desires to do so.

Mr. BUTLER. My friend and I can sit down and talk together. I know what I am talking about. I am not going to be made any stuffed man to be knocked down with a pole, either. [Laughter.]

Mr. OLIVER of Alabama. May I say this, that no matter what may be the small differences that may arise between members of the legislative committee and members of the Committee on Appropriations, there is seldom any substantial disagreement between us. We come together frequently in conference. The gentlemen came to us, and we had a pleasant conference with them just before this bill was reported out. As usual, we were not very far apart.

Mr. LINTHICUM. After the gentleman from Alabama and the chairman of the legislative committee have talked it over between themselves, will the gentleman from Alabama tell us?

Mr. OLIVER of Alabama. I will yield that honor to the chairman. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. May I have five minutes more?

Mr. AYRES. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes more.

Mr. OLIVER of Alabama. While listening to those who urge the actual deficiencies in our national defense as the reason for the building of additional cruisers, I wish to caution the Members of the House not to overlook a matter of vastly greater fundamental importance than the mere building of cruisers. The strength of the world's greatest navy is no greater than its supply of ammunition. Explosives of every kind require nitrates, and yet we seem willing to depend upon Chile—we are willing to risk the passage of the Panama Canal and a 4,000-mile ocean voyage, all because we can not agree upon a policy that would insure us an immediately available supply of nitrates, whatever the emergency.

It may be claimed, perhaps, that the route by way of the Panama Canal is not likely to be threatened and that those who suggest such a thing are merely setting up a straw man to knock down. To those who are inclined to these views I would offer some facts in connection with Nicaragua. The press during the past week has carried reports that the present Government of Nicaragua may be supplanted by one unfriendly to the United States, and some reports go so far as to suggest that such new government might be under the domination of Bolshevik influence. If such should occur, it would probably mean the destruction of the Bryan-Chamorro treaty of 1916, which recites that its purpose is to provide for a possible interoceanic canal through Nicaraguan territory and states that the Government of Nicaragua wishes "to facilitate in every way possible the successful maintenance and operation of the Panama Canal." The treaty grants to the United States in perpetuity, free from all taxation, the exclusive right to construct, operate, and maintain a canal through Nicaraguan territory. There is also another provision of the treaty of even greater importance. Notice section 2, which provides that "to enable the Government of the United States to protect the Canal Zone" and the "proprietary rights in the Nicaraguan Canal," and also to "enable the United States to take any measures necessary to the ends contemplated herein," Nicaragua leases for 99 years the Great Corn and the Little Corn Islands, and also grants for 99 years the right to establish and maintain a naval base on Fomesca Bay. The United States is also given by the treaty the option of renewing such lease and grant.

The strategic position of these islands and the bay emphasizes in no uncertain way how the destruction of this treaty would cripple the United States in its effort to protect the Canal Zone. If a government unfriendly to the United States should be set up in Nicaragua, I wish to remind the legislative committee now that it may be called on for an authorization to provide for strengthening and fortifying the naval base on Fomesca Bay and perhaps other expenditures on the islands of the Great and Little Corn, all of which we own and have the right to possess in perpetuity, and which are of great military value in the protection of the Panama Canal.

As showing the further necessity for early action so as to provide a policy for the early operation of the nitrate plant at Muscle Shoals, there is increasing evidence that Chile will soon be an ineffective source of nitrates. Germany, with her nitrate plants built by the Government for war purposes, has turned these plants to fertilizer production, and they are now being operated so effectively that Chilean nitrate has already been driven out of many markets. If we persist in ignoring our own opportunity, it will be Germany rather than Chile to whom we will have to turn for our nitrates. We can perhaps afford to defer for a short while our provision for additional cruisers in the Navy, but I submit that in the home production of nitrates for fertilizers and explosives there should be no further delay. No conference can limit those peace-time industries which, like the manufacture of nitrates for fertilizers, can be quickly converted to military needs. Other nations are making themselves independent in this indispensable product—we have had years of talking, and I submit that the time has come to act and by our action assure the Nation that the House of Representatives has done what they can to provide cheaper fertilizers for our farmers, to help them to reduce their cost of production, and to enable them to make a profit when prices are low as well as when they are high. In doing this we will lend essential and effective aid to real military preparedness. [Applause.]

The question of a supply of home-produced nitrates leads us directly to a consideration of the respective rights of the Federal Government and the State of Alabama at Muscle Shoals. A long series of court decisions establishes the fact beyond possible doubt that the rights of the Federal Government to improve a stream for navigation purposes are absolute and paramount. No State or individual can attach conditions limiting the Government's right to carry on such operations as it sees fit for the bona fide purpose of improving navigation.

This right extends to other proper governmental functions, such as providing for the national defense in time of war, and no one can successfully contest the right of the United States to develop power for the manufacture of nitrates to serve such a purpose on navigable streams, particularly if the developed power is merely incident to the improvement of navigation on such streams.

It should be remembered, however, that this unique authority of the Federal Government is the authority of a sovereign. As a proprietor the United States enjoys the rights of other proprietors, and except for tax exemption has no special rights or privileges. Thus in the matter of power development the Federal Government should recognize the fact that, subject to the paramount control of the Federal Government to improve and protect the navigation, the control of water powers upon all streams navigable or nonnavigable is vested in those States within which the powers are located.

The Federal Government, for example, took gravel from the bed of the Tennessee River with which to build the Wilson Dam. The bed of the river being the property of the State of Alabama, the gravel also was State property, but no compensation was exacted or expected for the Government was manifestly within its rights in utilizing this gravel for the purpose of improving the navigation.

Having completed construction of the enterprise, and granting, for the sake of argument, that the Government may lease its own properties as a proprietor, it must be remembered that ownership of a dam in Alabama no more confers upon the Federal Government the right to name the price of water-power in Alabama than it confers that privilege upon the Alabama Power Co., which also owns dams in Alabama. The right to regulate the price of power, service to be rendered, and the security issues of those dealing in electrical power in Alabama, belongs to the State of Alabama, and in leasing its properties the United States is bound to recognize that fact.

For example, the Associated Power Companies have offered to pay \$1,200,000 to the United States for power made continuous by means of the regulated flow of the Tennessee River, when the river has been regulated by a storage dam, whether the United States itself builds the storage dam or not. Such a payment becomes a charge upon the power to be paid, not by the power companies, but by their customers; and the legality and fairness of such a payment must be approved by the Alabama Public Service Commission before it can be legally charged against the people of Alabama.

I have received a recent letter from Chester H. Gray, Washington representative of the American Farm Bureau Federation, protesting against the unnecessary charges of 7½ per cent for depreciation and 6 per cent for interest on the cost of a new nitrate plant, as proposed by the Associated Power Companies in their offer. These charges, Mr. Gray declares, are unnecessary because we have an efficient, well-built nitrate plant there now. This is indeed the case, and with a few changes and additions it could be converted into a plant capable of producing concentrated fertilizers very economically by the use of the Muscle Shoals power, as was shown a year ago by President Coolidge's Muscle Shoals Inquiry Commission.

Mr. Gray did not mention the fact, however, that under the proposal of the power companies there would also be assessed against fertilizer power a charge of \$1,200,000 per year on all power made continuous at the Wilson Dam by reason of headwater improvements, whether these headwater improvements were made by the United States or by some one else.

The power companies have no legal nor moral right to charge the farmers with such a payment in the cost of the power that is to be used in producing their fertilizers, and they have no right to assess such a charge, amounting in 50 years to \$60,000,000, against the power users of Alabama in general.

In all the 770 applications for power dams that have been made to the Federal Power Commission I do not know of a single case where the assessment of such a headwater improvement charge has been attempted. Shall the consumers in Alabama and Tennessee be selected as subjects for discrimination, or shall it be the farmers who are to be so discriminated against in their efforts to secure cheaper fertilizer? I see no reason why either our people or the farmers should consent to such a charge.

It is true that the United States might organize a public-utility corporation in order to generate and distribute electric power in Alabama; but when the United States engages in a commercial enterprise, such an activity is no longer that of a sovereign but of a subject; and the rights of the United States as a public utility in the State of Alabama in so far as they affect its right to sell power to the public are those of any other public utility and no more. It is subject to the laws of the State of Alabama just as every other utility is subject to State laws, for it is superior to State laws only when,

as a sovereign, it is improving navigation or performing other sovereign duties. In its operations as a public utility, where neither of these exceptions is involved, it has no rights superior to those of a State, and can not supersede the reserved sovereign rights of the State.

The rights of the State of Alabama at Muscle Shoals are quite independent of the fact that, below the high-water mark, the bed of the stream on which the dam rests is the property of the State. Its rights would be equally valid if the United States had purchased the entire dam site from both banks to the middle thread of the stream, as would have been the case in certain other States, for it is the right of the State of Alabama as a sovereign rather than as a proprietor to regulate the water powers within the State.

The Federal water power act attempts to confer upon the United States rights which it does not possess. This immediately would become apparent if the cases of New York and New Jersey against the United States in the Supreme Court had not been withdrawn. The Federal Power Commission agreed not to contest the States' rights, and so the cases were dropped; but it would be a real public service if the legality of the provisions of the Federal water power act could be tested in the Supreme Court. The Federal Power Commission concedes the right of the State of New York to control its own water powers. The sovereign rights of the State of Alabama are exactly those of the State of New York with respect to its water powers, and the clauses of the Federal water power act attempting to provide for "recapture" of properties that the Government never owned, for the prevention of excess profits, and for payments to be made for benefits from headwater improvements, together with other similar features of this act, are fundamentally unsound and, in the opinion of many, unenforceable. No one knows this better than the power companies themselves, and it is they who seek to avoid having this issue settled in the Supreme Court of the United States.

The recent suggestion of Governor Graves, of Alabama, that the legislature raise a committee charged with ascertaining and reporting back what the State's rights are in the premises, together with such recommendations for the steps which it regards necessary to protect the rights of the State of Alabama, is not an ill-timed suggestion and may lead to a clearer understanding on the part of the public as to the respective rights of the State of Alabama and the Federal Government in the administration of water powers within the State. The report would be of interest to many other States where like questions are found.

The whole foundation of the Federal water power act rests upon the unquestioned right of the Federal Government to promote navigation. This right has been stated by the Supreme Court to mean the prevention of any unreasonable interference with navigation. Yet on our own Coosa and Tallapoosa river system the Federal Power Commission has granted to the Alabama Power Co. applications and licenses for a number of dams at least two of which have been completed without locks, so that while many miles of these rivers have been converted into slack-water lakes on which navigation conditions are ideal, still there can be no navigation of consequence on the rivers, for the dams themselves form permanent obstructions to navigation.

These locks have been omitted under the condition that when the navigation justifies their construction they will be built, but the condition is absurd, for the navigation having been blocked by permanent concrete dams at intervals, there can be no navigation of consequence and the locks need never be built. Thus under the guise and authority of promoting navigation the Federal Power Commission is authorizing the Power Trust to ruin our streams as a cheap and effective means of transportation.

There is another feature of the Muscle Shoals situation I desire to bring to the attention of the House. The claim has been made that the power from the Wilson Dam could be marketed readily for general utility purposes. Recently there visited Muscle Shoals two commissioners of agriculture from New England—Hon. Andrew L. Felker, of New Hampshire, and Hon. Edward H. Jones, of Vermont. These gentlemen wrote an open letter to Mr. Richard H. Edmonds, editor of the *Manufacturers Record* at that time, giving their views to the effect that since Muscle Shoals was an improvement made by the taxation of all the people, it should be used chiefly to produce concentrated fertilizers, as only in this way could its benefits be extended over the widest possible territory. They stated that they found no evidences that the power if used in local distribution within transmission distance from Muscle Shoals, would be likely to bring new factories. On the contrary, they indicated their belief that the leasing of this power to the Alabama Power Co. would merely enable that company to shut down certain

steam power plants and replace that power which is sold at a lesser profit with Muscle Shoals power, which could be sold at a greater profit.

Mr. Edmonds, in an abusive reply reflecting no credit on the editor of a representative southern paper, declared that these gentlemen were so ignorant of the conditions and the facts concerning Muscle Shoals as to render their statement of no value; but an examination of the facts will show that it is Mr. Edmonds who is ignorant and not Messrs. Felker and Jones.

I wish to place in the *RECORD* the following correspondence, which confirms the agreement between the Alabama Power Co. and General Jadwin, Chief of Engineers, in which the terms are agreed to, and the approval of the Secretary of War. I wish to call your attention to paragraph (b) of this letter:

The Alabama Power Co. shall at all times utilize power from Wilson Dam instead of steam power from its own or leased stations up to the capacity of the transformer station now installed or that may be installed at Wilson Dam whenever the flow of the Tennessee River will carry the transformer station at full load; and whenever the Tennessee River falls below that capacity, the power company shall take Wilson Dam power so as to utilize fully the flow of the river.

If there were a utility market for the Wilson Dam power it would not be necessary to compel the Alabama Power Co. to agree to close down their steam-power plants in order to make sure that the Wilson Dam power would be used. If the shortage existed which has been so widely advertised, there would be ample opportunity to utilize power from the first four units of the Wilson Dam and to operate the steam plants of the Alabama Power Co. as well; but the United States engineers, realizing that the condition did not exist, put into the agreement the requirement that the—

Alabama Power Co. shall at all times utilize power from the Wilson Dam instead of steam power from its own or leased stations.

It would be bad enough if the full capacity of the present installation of the Wilson Dam were involved, but it is doubly significant when it is remembered that what the United States is trying to be sure of selling is not 260,000 horsepower, but about 90,000 horsepower, which is the capacity of the transformers now installed by the Alabama Power Co.

The facts are as stated by Mr. Felker and Mr. Jones. There is no ready power-company market awaiting the Wilson Dam power unless a market is deliberately created by shutting down other power plants in our territory. More than that, there is an enormous surplus of water power in the southern Appalachian region, including the Tennessee Valley, which is awaiting development for industrial purposes. Using Muscle Shoals power for fertilizer manufacture will hasten the development of this power and lead to a greater industrial development in the South than we will have without it. In addition, the use of this power in this way will enable us to keep faith with the farmers and aid them in securing the cheaper fertilizers which they desire.

The correspondence referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, June 21, 1926.

The ALABAMA POWER CO.,
Birmingham, Ala.

GENTLEMEN: Referring to the agreement between the Chief of Engineers, in the form of your letters of June 18 and 25, 1925, and letters of the Chief of Engineers of June 23 and July 1, 1925, accepting your offer to take and pay for hydroelectric power generated by the Wilson Dam power plant during the then contemplated operating tests, the matter has reached a stage when the interests of the Government require a modified agreement.

Whereas by the said agreement, you have been taking such power as has been generated by the said operating tests, at the proper voltage, as you could use economically, subject to the right of the Chief of Engineers to interrupt the service at any time and for any reason, and subject to your right to refuse to take the power when you could develop it more profitably elsewhere; and

Whereas the tests contemplated by the said agreement have been completed and the power units are now and for some time have been operating and developing and furnishing power at a dependable rate and constancy,

You are hereby informed that, unless otherwise provided by law, if Congress adjourns prior to July 1, 1926, commencing with that date, and if Congress does not adjourn by July 1, 1926, from the date following its adjournment, the following rates will become effective:

(a) The Alabama Power Co. shall furnish daily to the officer in charge of Wilson Dam, as heretofore, its daily statement "Gross generation and river data," Form No. 1235, and the said officer shall at any time have access in person or through a proper representative to

the company's plants and records to determine the accuracy of said statements.

(b) The Alabama Power Co. shall at all times utilize power from Wilson Dam instead of steam power from its own or leased stations up to the capacity of the transformer station now installed, or that may be installed, at Wilson Dam whenever the flow of the Tennessee River will carry the transformer station at full load; and whenever the Tennessee River falls below that capacity, the power company shall take Wilson Dam power, so as to utilize fully the flow of the river.

(c) The Alabama Power Co. shall pay for power furnished from Wilson Dam as follows:

For that substituted for Gorgas steam power, 3 mills per kilowatt-hour.

For that substituted for Gadsden steam power, 4 mills per kilowatt-hour.

For that substituted for Nitrate Plant No. 2 steam power, 6 mills per kilowatt-hour.

(d) The steam power for each plant for which Wilson Dam hydro-power is substituted shall be determined for each day and date as follows:

(I) The total system load for the day shall be plotted from the statement furnished by the power company.

(II) The Alabama Power Co. hydrogeneration shall be plotted at the top of the system load.

(III) The Wilson Dam generation shall be plotted immediately under the Alabama Power Co.'s hydrogeneration.

(IV) So much of the Wilson Dam diagram as lies above 80,000 kilowatts shall be paid for at the rate for Nitrate Plant No. 2 steam plant, viz, 6 mills per kilowatt-hour.

So much of the Wilson Dam diagram as lies between 70,000 and 80,000 kilowatts shall be paid for at the rate for the Gadsden steam plant, viz, 4 mills per kilowatt-hour.

And so much of the Wilson Dam diagram as lies below 70,000 kilowatts shall be paid for at the rate for Gorgas steam plant or 3 mills per kilowatt hour.

Provided, however, that whenever it is necessary in order to carry the system load, actually to operate Nitrate Plant No. 2 steam plant in addition to Wilson Dam, and the Gadsden plant is not operated, all power above the 70,000-kilowatt line and within the Wilson Dam diagram, which would have been generated by steam in order to carry the system load without Wilson Dam, shall be considered as Nitrate Plant No. 2 steam power and shall be paid for at the substitution rate for that plant, viz, 6 mills per kilowatt hour.

Very truly yours,

H. TAYLOR,

Major General, Chief of Engineers.

OFFICE CHIEF OF ENGINEERS,

June 23, 1926.

Copies furnished the district engineer, Florence, Ala., and division engineer, central division, Cincinnati, Ohio.

Copy to C. A. Beasley, 719 Fifteenth Street NW., Washington, D. C.

The card hereto attached pertains to a letter to the Alabama Power Co., dated June 21, 1926, and signed by H. Taylor, major general, Chief of Engineers.

Major, Engineers.

WAR DEPARTMENT.

DEAR GENERAL TAYLOR: The Secretary says this is O. K.

J. W. MARTYN.

File with letter to the Alabama Power Co. based on 5592 (Wilson Dam) 91 dated June 21, 1926.

Mr. FRENCH. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. LaGUARDIA].

Mr. LaGUARDIA. Mr. Chairman and gentlemen, I want to ask the indulgence of this House, if I am compelled to take up a subject which some of the membership, perhaps, feel has been overdone during this and the last session; but, gentlemen, you do not realize conditions in my city and the serious problem that is confronting us. I am sure that if the membership of the House knew the disgraceful condition that now exists in the attempted enforcement of the prohibition law in New York City you would give some heed to the Members from that city who come here and protest. I have my own views on the subject, but we must all agree that ordinary decency and honesty should not be sacrificed by any department of the Government in the ordinary performance of its duties.

Perhaps the situation is not clear on this question of poisoned alcohol. I desire now to register a protest against the handling of that problem by the New York prohibition director and to charge that it would be impossible for poisoned alcohol to be diverted in the wholesale quantities that it is in and about New York City without the knowledge, if not the connivance, of the officials intrusted with the enforcement of

the law. This alcohol is withdrawn only on Government permits.

Speeches and resolutions, editorials, and protests will not cure the liquor-poison evil.

There is nothing in the law which directs the Secretary of the Treasury to make industrial alcohol deadly poison. The formulas used by the Treasury Department are not contained in legislation but are formulas adopted by the department with the approval of the Secretary of the Treasury. The responsibility therefore is entirely with the department. There is no use expecting a direct mandate by legislation during the present session of Congress. Members apparently do not understand the extent of the present evil and any remedial legislation which would take from the Secretary the power of poisoning citizens would be overwhelmingly defeated. I am not deceiving myself about that. It is better that the country should know the truth rather than to be led into the hope that Congress will act. Congress will not act in the House of Representatives, because the membership do not understand, or want to understand, the real gravity of the situation. I repeat now what I have often said, that the poisoning in New York—and I speak of New York because I know conditions there—could not possibly have happened without the knowledge, if not the connivance, of the very public officials intrusted and charged by the law to safeguard public health and to supervise the use of industrial alcohol. The department has placed a man in charge of New York who does not know local conditions, who has no experience, who can not possibly grapple or control conditions in the metropolitan district. All denatured and poison alcohol is issued on Government permits.

Poison alcohol can come from one source only. It is alcohol which has been denatured or poisoned according to the various formulas approved by the department by persons holding Government permit to do so. That is, the Government approves the poisoning formula and persons or companies receive a permit from the Government to withdraw pure alcohol for the purpose of denaturing it by adding the poisonous ingredients and then selling it to industries who have permits to withdraw it. If the permit holders to denature do any cheating, they sell the pure alcohol before it is poisoned. There is a great deal of that going on and the prohibition administrator in New York ought to know it. If he does not know it, he is the only person who does not. When poison alcohol finds its way into beverages it can come only from holders of permits to use denatured alcohol for industrial purposes.

Alcohol unlawfully manufactured is pure alcohol. Illicit manufacturers of alcohol do not go to the trouble to make poison alcohol. There can be no doubt that all this poison alcohol which was used for beverage purposes was diverted from legitimate use, and could not have been diverted to such an extent unless the official in charge of New York is hopelessly incompetent or criminally dishonest. Most of the poison alcohol, I understand, that was diverted came from so-called soap factories and other industries having permits to withdraw denatured alcohol. If the director of prohibition in New York had been on the job, and instead of using all of his efforts in a religious war and going after rabbis and causing embarrassment to 12 rabbis on such a flimsy case that as soon as Washington heard of it all 12 were released, he would have checked up on the amounts issued to certain industries which seem to be in his good graces and not permit these industries to divert their poison alcohol, this question would not be before the country to-day. I charge that Chester P. Mills, in charge of prohibition in New York, is responsible for the diversion of the poison alcohol and the resulting deaths, and I charge that the Secretary of the Treasury is responsible for not checking upon his director in New York and his loose methods in failing to properly supervise industrial alcohol.

Suppose that in any of your States a man from New York, who did not understand your problem in Texas or in Georgia or in Tennessee, was sent, and he would be so hopelessly incompetent or so disgracefully dishonest as to permit the diversion of poisoned alcohol in wholesale quantities and poisoning people in large numbers? You would get up on the floor of this House and protest? Of course you would, and that is our position in New York to-day.

Now, gentlemen, let me point out something else that has been mentioned lately. The Government of the United States, through its agents, has deliberately gone into the unlawful bootlegging business.

The Government, not only through its corrupt or incompetent officials in New York, permitted or tolerated the diversion of poison alcohol, but went into the bootleg business itself. This was revealed in a case in the Federal court in an action which was originally commenced by the United States against the Bridge Whist Club, and after the Government had moved to

dismiss the complaint because the nuisance had been abated the action resolved itself into a contest between the landlord and tenant for possession of the premises. One Ralph W. Bickle, a notorious confidence man, was called as a witness and revealed the fact that previous to the action of the United States against the Bridge Whist Club he had operated the said Bridge Whist Club himself as an agent of the United States Government. He testified that he was an undercover man in the employ of Bruce Bielaski and had operated the place for seven months as a speak-easy. During that time these Government undercover men purchased liquor unlawfully and conducted a retail liquor business and served hundreds of customers a day right over the bar in good old-fashioned manner. The Bridge Whist Club was in close proximity of several very fashionable clubs in New York City and catered to an exclusive trade. Just how much money was spent for the purchase of liquor and how much income was derived from the sale of liquor and just how much profit was made we will not be able to tell unless favorable action is taken by the House on my resolution (H. Res. 352) which is now before the Committee on the Judiciary. I charge that the operation of this unlawful business is contrary not only to good morals and decency but contrary to the laws of the United States.

It is unlawful for a public official or any person to induce a man to commit a crime in order to get a conviction. Under the Federal Criminal Code, section 332—

whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or procures its commission is a principal.

It is to be noted that a public officer is not excepted therefrom, and that he may not violate that particular section with impunity.

Yet this man, a Government agent, at this very moment testified that he paid rent and operated this club and personally sold liquor himself daily from October, 1895, to May, 1926. I believe the rent was something like \$375 a month. After operating this place as a club, unlawfully selling liquor, he sold it for \$5,000. It is stated that the fixtures and furniture in the place are not worth over \$1,500, and that the purchaser paid the Government agent \$3,500 of the five thousand total for "good will" and going value. A few weeks after the place had been sold it was raided on information of this same agent. Can you beat that? My resolution, which is now before the Committee on the Judiciary, asks the department to inform the House of the disposition of the funds derived from the unlawful sale of liquor as well as the proceeds of the sale of the speak-easy. The resolution also asks how much money the Government spent for the purchase of liquor and other incidental expenses.

Such a system of espionage and the instigating of crime and the committing of crime by agents of the Government is countenanced by no civilized country of the world. It has been held over and over by our courts that a conviction will not stand against a person who has been induced to commit a crime by a Government agent.

The courts will not lend aid or encouragement to officers who may, even under a mistaken sense of duty, encourage and assist parties to commit crime in order that they may arrest and have them punished for so doing.

It has also been held that—

where the scheme does not originate with the defendant, and he is lured into the conspiracy by an officer of the law, he can not be held for the offense, for in contemplation of law no crime has in fact been committed.

So you will readily see, by application of the aforementioned principle of law that persons who were enticed into the trade of illegal liquor traffic could not be prosecuted or punished.

The cases on this proposition you will find are many. The leading ones are *Woo Wai v. United States* (223 Fed. 412; 137 C. C. A. 604, 9th circuit); *United States v. Lynch* (256 Fed. 983); *Butts v. United States* (273 Fed. 35); *Connor v. People* (18 Colo. 373); *State v. Dougherty* (88 N. J. L. 209); *Woodward v. State* (20 Texas App. 375); *Patterson v. United States* (255 Fed. 433); *United States v. Echols* (253 Fed. 862); *Yick v. United States* (240 Fed. 60).

The courts have even gone so far as to hold that where a defendant is lured into the commission of a crime, in order to prosecute him therefor, no conviction can be had, although the criminality of the act is not effected by any question of consent of the Government agent:

United States v. Healy (202 Fed. 349): Sale of liquor to Indian.

Woo Wai v. United States (223 Fed. 412): Conspiracy to violate immigration law.

Sam Yick v. United States (240 Fed. 60): Conspiracy immigration offense.

Voves v. United States (161 C. C. A. 227, 249 Fed. 191): Sale of liquor to Indian.

Patterson v. United States (166 C. C. A. 509, 255 Fed. 433): Sale of liquor.

United States v. Eman Manufacturing Co. (271 Fed. 353): Violation pure food act.

United States v. Echols (253 Fed. 862): Purchase of liquor.

Now, gentlemen, not only were Government funds used by these agents in provocations, violating the law themselves and instigating others to violate the law, but a vast system of espionage and blackmail has developed from the operation of this one place.

The undercover manager of New York, Bruce Bielaski, prevailed upon the Federal district attorney to write a letter to the commissioner of police of New York City asking his cooperation to certify to the New York Telephone Co. the necessity of tapping wires in order to obtain information. Wires have been tapped not only of bootleggers, but of Government officials and prominent citizens in the pretext of obtaining information on liquor. Intimate and family matters are ascertained and a system of blackmail has developed.

I will cite a case which is a matter of record where a Mrs. B was arrested in New York by one of the undercover men on a trumped-up charge when its only purpose was to blackmail the family on information obtained through the system of undercover which is now going on in New York City. I will give the name of this family to any Member who desires it. The Department of Justice has knowledge of this case and no action was taken. Here is an example of some of the type of men that are star performers in this espionage system now operating in New York City:

Charles August Smith is now in the employ of the Government as an undercover man, and has been for some time. During a recent trial he was caught testifying falsely. He was ordered arrested, indicted, and convicted of perjury. He was sentenced to 60 days' imprisonment and committed to the Essex County jail, where short-term prisoners from the eastern district of New York are sent. He is still in the employ of the Government and I am informed receives \$10 a day and expenses, and was paid for the time he spent in jail.

Michael Kelly, an expert wire tapper and now employed by the undercover management to obtain information by tapping wires of officials, ministers, private citizens, as well as suspect bootleggers. Mr. Kelly was formerly an officer in the New York police department. There too he had a varied and exciting career. Things went wrong one day when Officer Michael Kelly reported sick, and that same day the police boat *Gypsy* or *Blue Boy* captured a rum runner under the command of this same Michael Kelly. Mike was kicked out of the police department and obtained the dignified employment of wire tapper under Mr. Bruce Bielaski.

How can we possibly appropriate money for the Government to go out and violate the law by inducing unlawful sales in wholesale quantities and by directly making sales in retail quantities?

This undercover system has so swamped the department that the department is afraid to discharge any of these men. Through their wire tapping they seem to have gotten something on everybody, and these officials simply stand in horror and tremble before the very espionage system that they have consented to create.

After the sale of the Bridge Whist Club it is stated that other places are operated by Government agents. I am informed that at the Barrymore Club there are two agents of the espionage system serving as bartenders, and that a complete list and addresses of patrons is kept, and then this is followed up—and not for governmental reasons.

These conditions are only possible because incompetent men, aided by dishonest men, are in charge of the law enforcement in the New York district. That makes it possible for shrewd, conniving blackmailers, extortionists, and crooks to get in under the pretext of being undercover men to develop an espionage system on the private affairs of citizens such as has never been carried on, not even in the darkest days of Russia under the Romanoff dynasty; and while all this is going on the law is not being enforced. Poison alcohol is being diverted and citizens poisoned by the hundreds. All of this is known to the Department of the Treasury, and because these shrewd, conniving men know how to bluff the sincere drys, telling them that only the bootleggers are opposing them, they are kept in office. I intend to present formal charges to the Secretary of the Treasury against the prohibition officer in charge of the New York dis-

trict, and if he then fails to act I shall again bring the matter to the attention of the House.

Mr. UPSHAW. Will the gentleman yield?

Mr. LaGUARDIA. I certainly will.

Mr. UPSHAW. Of course, the gentleman from New York understands that the gentleman from Georgia and all who sympathize with his prohibition ideals condemn 100 per cent such conditions as the gentleman has just described; we condemn any laxity in duty or disloyalty in office, and we condemn every black deed of drinking, grafting citizens and officials; but may I ask the gentleman, what is the great Empire State of New York, which repealed its State enforcement statute, doing now as a State to help enforce this constitutional law?

Mr. LaGUARDIA. The great empire of the State of New York cooperates to the fullest extent with the Federal Government. Seventy-five per cent of the arrests made in New York are made by the police, and the same amount of corruption, I suppose, exists.

Mr. SABATH. Will the gentleman yield?

Mr. LaGUARDIA. For a short question.

Mr. SABATH. Supplementing the inquiry by the gentleman from Georgia, I would like to inquire what the State of Georgia is doing. I notice from the newspapers that they have a great many violations there.

Mr. LaGUARDIA. I have purposely avoided local insinuations or personal accusations. This thing has become bigger than a question of booze; it involves the stability of government. If you are going to permit a handful of crooks under the direction of one man to so extend their powers as to be able to tap wires, conduct a system of espionage without responsibility to anyone, do you not see that you are undermining the whole system of government and certainly bringing about a condition in our country that is antagonistic to its existence? I am trying to make my appeal frankly and honestly and bring to the knowledge of the House conditions as they exist. I believe that we will sooner or later have to solve this problem. It can not continue as it has been and continues at this time. I personally believe the Constitution will have to be amended.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COYLE. Mr. Chairman and gentlemen of the committee, I can not rise to speak on the subject of the naval appropriation bill at this time without expressing the wish, with all due deference to my good friend from New York, who was courteous enough to yield to me of his time, that I might have followed directly the distinguished gentleman from Alabama, who gave us such an able statesmanlike exposition of the desire and the need in this country for a balanced fleet, without reference to the fleet of any other nation; a fleet which does not put undue emphasis on any one factor, which goes to make up the efficient fleet in being; but a Navy which after all is adequate to meet the needs of America, and that is what this Congress (through its legislative and appropriations committees) is seriously and earnestly striving to obtain.

In connection with that I am going to ask you for the moment to consider that the cruiser has a dual need. Primarily the cruiser is the peace keeper in peace times and the eyes of the battle fleet in war times to aid the battle fleet to meet and defeat the enemy in the event that war shall come. But the cruiser for all time has been effective and efficient in avoiding a war, which means avoiding the needs of the battle fleet. To my mind we should have, irrespective of other nations, a balanced cruiser fleet, ready to take the sea, of five squadrons of four effective cruisers each, together with five cruisers at all times undergoing overhauling and repair.

That is the reason, not competition, not emulation, not the thought of war, but the needs of the fleet in America for America, and that need is for not less than 25 cruisers, of which 20 shall be ready to go to sea at all times.

Further, in the event that three cruisers which are now authorized, which three cruisers the distinguished gentleman from Alabama [Mr. OLIVER] rightly says may at any time be discontinued by the President under the authority which now exists, and if appropriations should be made for them, it seems to me perfectly proper, when the bill comes up which has been referred to by the chairman of the legislative committee, the distinguished gentleman from Pennsylvania [Mr. BUTLER], that the number of cruisers to be authorized should properly be reduced to 7 instead of 10, the figure which the bill provides as it has been reported to the House.

So far as the dirigible is concerned, and the needs and the use of it in peace and in war, permit me to say that, contrary to the usual conception on the subject, the rigid airship proved its immense value in war whenever it was used within its proper and somewhat technically limited use. That use at

present seems to be limited to the field of distant or strategic scouting for the fleet. Admiral Jellicoe in his confidential report to the British Admiralty credits the German zeppelins with such effective work prior to the Battle of Jutland and at other times as to leave little doubt in our minds as to their proved usefulness. The CONGRESSIONAL RECORD of April 8, 1926, House proceedings, contains an extract from this report and from a letter to Admiral Sims, of our own Navy, written by Admiral Jellicoe, which sums up the case for the rigid airship both authoritatively and completely. Our Joint Board on the National Defense has properly allocated this type to the Navy for development, and in this has been seconded by the Morrow Board, in whose hands were placed the answering of a number of questions on the subject of the development of the Air Service and of aviation.

The Navy, with an obligation to both boards, is limited—indeed, has been estopped—in both the structural development and the tactical development ever since the destruction of the *Shenandoah*.

The maintenance of Lakehurst and of the helium-gas plant by direct vote of Congress last year was continued at an expense of something over \$2,000,000 per year because it was desired to start promptly the construction of one or more large rigid airships.

The duralumin ship being built by the Aircraft Development Corporation is regarded as but a primary experiment, following a somewhat new plan to attempt to make a success of what has on a number of occasions been a failure. There have been a number of attempts to make a metal-clad lighter-than-air ship, and all attempts thus far have met with failure. No such ship has ever flown, though a number have been constructed.

Even granting there is a good chance of success with this small vessel which the Aircraft Development Corporation is offering to construct, we can offer no better evidence of the contractor's own attitude toward lighter-than-air ships than to quote from the testimony of their general manager, Mr. C. B. Fritzsche, on page 846 of the hearings before the House Committee on Naval Affairs on sundry legislation affecting the Naval Establishment, 1925-26:

• • • And if this metal-clad airship of ours should stand in the way of the great experimental laboratory in lighter-than-air craft at Lakehurst, the greatest in existence to-day in the world, or if it should interfere with the United States coincidentally with Great Britain acquiring a fabric-covered airship of the same size as Great Britain may acquire, I would prefer to withdraw this bill involving our airship and await the future pleasure of Congress on the subject.

The contractors who are asking an appropriation to aid them in this experiment agree that the experiment is not of sufficient importance to warrant our delay, and indeed both they and the naval officers who are experienced in aviation have agreed that the duralumin experiment had better be scrapped if it in any way interferes with or delays the continuance of work on proved types of rigid airships.

There have been definite lessons learned from the *Shenandoah* and from the *Los Angeles*, and it is a question whether any further lessons can be learned from the two at present under construction in Great Britain.

In the United States we have at once the best technical minds gathered from all the nations who have been experimenting successfully with these rigid airships and the only supply of helium gas as yet developed in sufficient quantity to float them.

Some extension of a source of supply in the gas fields is necessary, and a joint committee from the three services interested in air service is at present considering ways and means for such extension.

Information from the Air Corps of the War Department would indicate that their largest type of airship in existence is just about capable of making the trip from New York to Washington and return, and that their blimps (which are merely elongated fabric balloons) are much more limited in their radius of action and speed, and are really only of use to accompany considerable land forces for observation and artillery direction.

The rigid airship of the *Shenandoah* type is capable, at 50 knots cruising speed and 2,000 feet elevation, of completely scouting a sea area of 85,000 square miles within 14 hours of daylight. This area could be scouted by not less than five 30-knot cruisers in the same time. A search of this magnitude would probably cost but one-tenth in the first cost and in maintenance if conducted by the rigid airship.

The testimony of the men who have piloted these big ships as well as airplanes leads us to believe that they are reasonably safe from attack through their noninflammable gas, their guns,

and their protecting airplanes, which are carried hooked onto the underbody of the rigid airship.

The initial statement to the committee of Lieutenant Commander Rosendahl, the senior survivor of the *Shenandoah*, and now in command of the *Los Angeles*, was typical of the best traditions of the American Navy: "The men of the Air Service, survivors of the *Shenandoah*, are unafraid; their morale is unbroken."

The possibilities of the rigid airship in industry and commerce will be retarded immensely unless the Navy proves its faith in these men and in the rigid airship by going ahead with one or more of the ships provided in House bill 7375.

Mr. COYLE. Mr. Chairman, a number of misapprehensions have been expressed on both sides of the House during the debate on the Tilson amendment to this bill. Speaking from some limited experience in the naval service, now many years ago, and some limited, but more recent experience on the Naval Committee, I want to resolve some of these misapprehensions.

First. The impression that there is any conflict between the advocates of this amendment and the President of the United States. I can speak but for myself, and in voting for this amendment I shall do so confident that I am not placing myself in opposition to the President. Too much emphasis also has been placed on questions of what the other nations are doing. I would want to be known, not as a bigger Navy advocate, but rather as an advocate of a better Navy. It is probably true that the United States has most completely carried out the spirit of the Washington treaty as expressed in its preamble. It is also true that the other parties to this agreement have increased very considerably their annual appropriations for building since the time of the Washington treaty. This burden of expenditure was the specific object which they stated as their purpose to avoid. All this is of no moment to America, but what is of moment is that we should have a fleet adequate for America's needs and accomplish this fleet by a fixed regular program of replacements and retirement of obsolete vessels. A conflict in argument appears in the informal expression of many who voted with the gentleman from Ohio [Mr. BURTON], whose eloquent plea made many friends for disarmament. Informally expressed they would have been for the Tilson amendment did it leave with the President authority to construct or not as he saw fit. The gentleman from Idaho [Mr. FRENCH], in his eloquent and forceful plea for the support of the committee, said that he could not be for this amendment because it did leave that very authority with the President and that the pending amendment was at best but an idle gesture.

In supporting this amendment I do so because it increases rather than diminishes the power of the President in any future negotiations for reduction of naval armaments. In many ways the war-time need of cruisers as scouts in the American fleet can be met, provided we construct the large rigid airship. It is the peace-time need for cruisers that can only be met by cruisers. This peace-time need is part of America's obligation to be watchful and present at danger points, lest another small blaze should start a world conflagration. Efficient navies never caused war. More than any other single factors in the old world, the navy of Great Britain was effective for a generation in keeping the peace. An efficient navy, great enough to take the sea at any time, will ultimately determine the outcome of any war. The destruction of the British fleet, could it have been accomplished by the Germans, would have written another and a very different ending to the great war. Cruisers, or rigid airships, are needed to balance our fleet in the event of war, and cruisers are needed to keep the peace in the disturbed corners of the world. On many occasions in the past have I been a participant in and an observer of the steadying influence of an American naval ship coming into a harbor where hatreds were running high. For generations the American ships have been not ships of war but very ambassadors of peace, and the few hours of war need have finally come because we lacked, or they thought we lacked, the ships or men to be on the peace mission at the right time and place. The one seeming exception to this rule is the fact that a certain train of circumstances followed the disaster to the *Maine* in Habana Harbor.

Speaking before the British Parliament in March, 1926, the First Lord of the British Admiralty expressed most definitely and conclusively the great advantages and the great economies which accrued to the British people through "having a settled building program." His statement was a revelation to me. Although I realized the extravagance of indefinite programs, I did not realize the positive savings of settled programs. While I am not one to advocate competition with the British, having had far too many examples of the friendly ties induced by our common language, I do believe we should emulate them in mat-

ters of economy. The extract from this statement will, perhaps, prove as enlightening to other members as to myself, and I would it were possible for us in America to determine what of auxiliaries and supply ships and tenders we need and then to enter into a program of a definite amount of new construction each year and definite dates for the retirement of extravagant and costly old ships:

[Extract from statement made on March 11, 1926, in the House of Commons by the First Lord of the Admiralty, Mr. Bridgeman, in connection with navy estimates, 1926-27]

Mr. BRIDGEMAN. I should like to try to explain as briefly as I can the principal items of saving. I said earlier that the effect of having a settled building program was to make it much easier to save. The Chancellor of the Exchequer last year laid great stress upon that, and very properly so. I think he was rather more farsighted in the matter than I was. I did not realize until I sat down to work on these savings what an enormous difference it made having a fixed program and knowing where you were going to be not only one year but four years hence, and I say quite plainly that the great majority of these economies would not have been possible without that fixed program.

If you know what replacements to expect in the next five years, it is very much easier to make economical arrangements with regard to your existing fleet and to take risks which otherwise would not be justified, whereas if you are living in a state of uncertainty as to new ships to be built, you can not risk getting rid of ships which you have, not knowing what you may get in the future. You must retain old ships whose usefulness is well-nigh past; and you must not only retain them, but you must spend money on refitting and retubing them, which is really not justified by their fighting value. Thus you save not only by scrapping ships which otherwise would have to be retained, but you save in dock-yard work and also in personnel.

This fixed program has also enabled us to have a more accurate and assured review of the consumption which will be necessary in fuel, armaments, and other equipment. It has this further great advantage that the shipbuilding and armament firms have an opportunity of knowing the probable extent of future admiralty orders, and there is a consequent gain very often in prices to the admiralty as a result. The Government felt that the generally peaceful outlook justified a reduction in the amount of oil fuel placed to reserve and in the number of fleet aircraft held in reserve. As progress is made in the manufacture of new models and as new inventions supersede and outclass old ones, there is always some danger of overstocking your reserves in machinery of that kind. The numbers required on Vote A, if we had not gone very carefully through the whole question of manning the fleet, would on the previous scale have been several thousands up on last year. As it is, owing to the economies and the review, the very careful review which has been made, we are able to present figures in Vote A which are practically the same as last year. On the other hand, there is an automatic increase in expenditure which we have been quite unable to avoid. We have no control over the noneffective vote, the increase of salaries, which are automatic, the contributions to the new pensions act, and there are smaller surplus stocks to draw on. All these automatic increases have been set off by the savings we have made in other directions.

Let us determine, within the treaty, America's needs in peace and war and then proceed to acquire those needs in the most economical way we can get them. That is no economy at all which appropriates \$315,000,000 and withholds the \$5,000,000 to make it effective. It is no economy which maintains a Lakehurst and a helium plant, or a big stable to hold fine horses, and then withholds the horses and refuses the dirigibles. That is no economy which would require the mails to be guarded effectively by 2,500 marines and then refuse the pay for 1,200 of them. That is pencil economy, but no true economy which would say that in a year when 50 planes were destroyed by hurricanes at one point alone, that the obsolescence or attrition should be cut for that year and the future years from one-third to two-ninths. That is no economy which provides a second appropriation of \$75,000 for a naval limitations conference where America has no vote and 19 nations, having no navies, have one vote each. That is no true economy which requires 21 men of the Naval Affairs Committee to sit for days hearing expert testimony from scientific men and then permits a Director of the Budget, with one stroke of his pen that is "far mightier than the sword," to eliminate a ship to replace the *Shenandoah* because, forsooth, he does not believe in the possibilities of rigid airships. All these and more are the false economies proposed in H. R. 15641, and they are economies in number of dollars only. Extravagant in men, in lives, in morale, and in efficiency.

Again I quote from an article by Mr. Clifford Albion Tinker in the *Atlantic Monthly* for January. This article is called "Jinx or jeopardy" and in it, with singular temerity, the author picks the popular goat and shows how the general board has been deposed by General Lord:

Gen. Herbert M. Lord, the man at the head of the Bureau of the Budget, has more to say about how many ships shall be kept in commission, how many enlisted men may be retained to man them, how much shall be spent on matériel alterations and how much for maintenance, than Secretary Wilbur and his entire council of bureau chiefs. As far as the Navy is concerned, General Lord is a dictator.

We can not, however, escape responsibility in the Congress and though we like to say 'mid loud acclaim, "'tis the Budget causes this," 'tis not the Budget, but we, the Congress. This author expresses it.

But the genial and efficient Director of the Bureau of the Budget is not a usurper; he is a dictator by appointment, and as an appointee he carries out, perhaps too faithfully, the commands and admonitions of the appointing power, the administration. Thus it is the administration, supported by the Congress, that must be held responsible for the policy of the day, and therefore responsible for the disasters that such a policy promotes.

Within the past week, two men, heads of national organizations, interested in the Navy, have asked what they could do in organizing propaganda and on both occasions and on any others that may arise in the future, my answer has been and will be, "Whatever you do, don't organize any propaganda on this subject. Everything to date has been spontaneous." To advocate preparedness is to have your motives questioned, but to organize to advocate preparedness is to be accused of belonging to the "Armor Plate Trust," and already this very accusation has fallen from the lips of more than one otherwise eloquent pleader for economy.

It has not been organized, this demand which has run over all the country, for a Navy adequate to America's needs. This is the demand from the people back home, that America should assume her responsibilities with an instrument in the shape of a Navy fit to be our first line of defense in the event of war, but, above all and before all, fit and effective to keep the peace of the world.

Mr. TABER. Mr. Chairman, I yield now to the gentleman from Michigan [Mr. HUDSON].

Mr. HUDSON. Mr. Chairman, I ask this time in order to have placed in the RECORD a discussion of the Philippine problem. I ask unanimous consent to extend my remarks in the RECORD by including therein an article by Vicente Villamin, the attorney for the Philippine people.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD by including therein the article referred to. Is there objection?

There was no objection.

Mr. HUDSON. Mr. Chairman, I have asked leave to extend my remarks in the RECORD in order that I may lay before Congress the Philippine Island problem as viewed by a Filipino of wide experience in the affairs of the islands. The great problem, the question of independence, that is so live an issue in the islands, it seems to me, is really a question of economics, and therefore I want to, under this right of extension, reproduce the speech of Mr. Vicente Villamin, himself a Filipino and a lawyer of wide experience, for I feel that he discusses the question in a fine spirit of fairness without any prejudice. I therefore append his address hereto:

THE PHILIPPINE PROBLEM

The Philippine problem involves a three-cornered responsibility, to wit: The responsibility of the Filipinos to themselves to keep their country a fit place to live in, the responsibility of America to the Filipinos to give them a chance to live as a nation in a reasonably safe and satisfactory manner, and the responsibility of America to herself to make morally sure that her withdrawal from the Philippines will not open the way to conflicts in the Pacific which may develop into a world conflagration. These are the determining factors in the solution of the Philippine problem, and not the showing of the different administrations in the Philippines or the mental capacity of the Filipinos to govern themselves.

These several responsibilities establish a unity of interest between America and the Philippines. They all rest on the question of the welfare of the Filipinos, for even America's obligation to herself would be discharged if the well-being of the Filipinos is assured, because that would imply the elimination or reduction of the risks of war which would be detrimental to that well-being. Therefore any solution, to be reasonable and rational, must satisfy the following tests: That it does not disregard the best interests of the Filipinos; that it meets their just aspirations; that it does not imperil the safety of America; that it does not violate America's good faith; and that it redounds to the mutual satisfaction of both countries.

Formulas for solution have been urged with indifferent degrees of earnestness. The three best known are complete and immediate separation, permanent annexation, and complete local autonomy with eventual separation. Their champions all profess that they are moved by

their concern over the fate and future of the Filipino people. But despite their protestations, they vie with one another too often without rhyme or reason. If they would give more vocal regard to their collective self-interests and responsibilities, there would be less skepticism and understanding. In the vernacular of applied politics, what is needed is a thorough debunking of the whole works.

The Philippine problem is surrounded with an artificial atmosphere. For a Filipino to talk about its realities is enough to bring down on him the damnation of his people. Of course, this is indescribably unjust, but it is not altogether unnatural. Truly, the Filipino realist has a hard life to live—the species is almost extinct. Americans are partially to blame for this. Their fault is not one of intent, but of manner. Not a few Americans, well intentioned enough, when demonstrating that the separation of the Philippines from America would be a calamity to the former, have not always been thoughtful about the self-respect and susceptibilities of so sensitive and high-spirited a people as the Filipinos. Thus, instead of touching their better nature and enlisting their self-interest, they succeed only in hurting their pride and arousing their passions. Such a course has aided no one but those who find zest in animosity. The good intentions of America are vitiated and misinterpreted. Americans are made to appear in the light of foes rather than friends. Distrust replaces confidence. The Filipinos are made to feel the necessity of self-defense. This feeling, when exploited by the willful, readily lengthens to a cry against the continued relationship with America. With so baneful an atmosphere, it is no wonder that any Filipino who dares doubt, even for good Filipino reasons, the wisdom of precipitate separation of his country from America is shouted down as a renegade. Yet he is no less patriotic than his critics. He serves his country in a positive and forthright manner, sifting fact from fiction, reason from passion, telling the truth. His service consists in making clear the costs and risks of nationhood, convinced that their knowledge and the preparedness to assume them are the best evidence that the people desire separation. Only the selfish could mistake his mission; only the fool would abuse him.

Political spokesmen say that the Filipino people are willing to stand the costs and risks of nationhood now. This assertion is discounted by the realists, who allege that the knowledge of those costs and risks has not as yet been brought home to the people. They are both right. It is a fact that the Filipinos want nationhood. It is also a fact that they are not clear about its obligations. Here two questions arise: Would not America be recreant to a moral duty if she grants nationhood irrespective of whether the Filipinos know its full meaning or not? Would the Filipinos insist on immediate separation from America after analyzing their situation in a practical manner?

To the second question the radical would reply that with America the people might have everything except what they want; the conservative would say that that which the people want would be realized by remaining longer with America, but independent of her, its realization would be highly speculative, depending on nations less liberally disposed. Any reply anticipating the decision of 12,000,000 people regarding their destiny and that of their descendants would be only a mere opinion and liable to be in error.

Under the circumstances, the safest and clearest course to pursue is to invite the people to an examination of the issues of absolute separation from America at this time. Once informed of the sacrifices they are to bear and the perils they are to face, their decision would carry the appeal of decisiveness and reasonableness. Then America could announce a definite policy and the vexed question of the future relationship between the two countries would receive a final answer. The following exposition of facts is intended merely as an aid to the understanding of the Philippine problem and is not a suggestion of a formula for solution.

Separation from America means to the Philippines loss of tariff protection; destruction of industries; depletion of foreign and domestic commerce; high taxation and low taxpaying capacity; poverty and unemployment; loss of American support to the financial credit of the Philippine government; exclusion of Filipinos from the United States under the immigration law; discharge of Filipinos from the United States service; and surrender of many precious rights and privileges enjoyed under the American Government. It means also letting go the military and diplomatic protection given by America at no expense to the Filipinos, and the assumption by the Philippines of the grave problem of international security, which is extremely vital to them by reason of their geographical location, the natural resources, the sparsity of population, and the uncertain state of international politics.

The loss of the tariff protection which Philippine products receive in America will blight the economic life of the Philippines. If the tariff barrier is erected on those products, which the political separation of the two countries will do, the bulk of the total Philippine exports will be effectively shut off from America, which at present absorbs the major portion of those exports. The significance of this fact can not be too well emphasized.

PROSPERITY IN FOREIGN TRADE

The Philippines are a country depending for prosperity on overseas markets. The bulk of national production is exportable surplus. The

major portion of this surplus finds its way to the United States, moving within the high-tariff wall. The Philippines are only on the threshold of their economic greatness. As the natural resources are developed and the volume of production increases, the proportion of exportable surplus to domestic consumption goes higher. This spells ever greater reliance on foreign trade. In America the mass of the output of farm, factory, and mine is absorbed locally, and foreign exportation is only of subordinate importance. Not so in England, where overseas commerce is the main prop to her national existence. Even now, with their natural resources but scantily developed, foreign trade is relatively more valuable to the Philippines than it is to England.

The principal products of the Philippines are tariff protected, both under the Republican and Democratic tariff laws. The protection that Philippine sugar receives in the United States represents about 40 per cent of the price of the commodity in normal times. The loss of this protection will bankrupt the Philippine sugar industry. More than 85 per cent of the total output of the sugar centrals is sold in the United States. If the Manila cigar is to pay the duty, it has to be sold at about 350 per cent higher than it brings now. That would be equivalent to killing the market for that article in the United States. About 65 per cent of the total cigar production of Philippine factories would thereby be lost. The price received for coconut oil would be reduced at least 25 per cent, representing the tariff protection. This means that since there is an oil-crushing industry in the United States which uses imported duty-free copra, the Philippine oil mills would be shut down completely. With the exception of sample shipments sent to various places, the entire output of these mills is consumed in the United States.

The handmade embroideries, the product of a home industry monopolized by the Philippine women, will have to pay 80 per cent ad valorem. Nearly all the embroideries shipped out of the Philippines go to the United States. The desiccated coconut, a growing industry, receives a protection that amounts to about 25 per cent of the price that the article commands in a normal market. The United States takes in the whole output of the Philippine desiccated coconut factories.

THE ISLANDS' MARKET

The manila hemp is free. The tariff will not affect its market, but the returns to the Filipino planter from this hemp would be due for appreciable reduction. It is more than probable that the Philippine Government, hard pressed for revenue and faced with the drying up of its main sources, would levy an export duty on hemp. Judging by the present methods of marketing and the control of foreign firms over production and exportation, the Filipino producer and not the outside consumer would have to absorb the tax. It is reported that the natural monopoly of the Philippines on hemp has been partly broken by the production of certain grades of the staple in the Federated Malay States. This would make the manila hemp a competitive article of international commerce and the question of protection would become a matter of importance.

It should be stressed that foreign markets are open to the Philippines now. Exportation to the United States is on an equal basis with exportation to any part of the world. In some respects America is even at a disadvantage. By reason of the low-labor cost in the oriental countries, which absorb the major portion of the Philippine exports outside of the United States, the disposal of the goods at points of destination in those countries is done more economically than in the United States. Yet the Philippines have succeeded in selling less than one-third of their total exports to foreign countries. The oriental markets are limited and surrounded with protective tariffs.

Europe is not a promising outlet. European countries produce increasing quantities of beet sugar, and they have their own extensive tropical colonies which they are developing. They have not been slow in detecting external competition, and as fast as production of a competitive commodity is established on a substantial scale they put up tariff barriers, domestic tax preferentials, rebate in ocean freights, capital subsidies, and other forms of encouragement. A lone, small foreign-trade country, free lancing, so to speak, in the world's markets against powerful competitors in highly competitive commodities, has a tremendous task on its hands.

The depletion of foreign trade will be directly reflected in the domestic trade. This will bring about a general curtailment of economic activities. The resulting demoralization and upset in every sphere of community life would be too sad to contemplate. Poverty would be general, usury would be more rampant, unemployment would stalk ominously all over the land, and general progress would be stunned. These are not predictions made for political effect; they are the logical and manifest consequences of a specific set of indubitable economic facts which even he who poetizes could not miss or minimize.

The theory has been advanced of late that if the free trade between America and the Philippines is stopped, the customs revenue of the Philippine government will be substantially augmented. This theory is indefensible. The situation is this: Roughly, two-thirds of the imports of the Philippines come from the United States and pay no duty under

the free-trade reciprocity and only one-third of the imports pay the rates charged by the Philippine tariff law. From these premises it is concluded that if all the imports pay the duty, the collections would be proportionately larger. The syllogism is apparent, but it is fallacious.

It is an elemental fact that if a country can not sell it can not buy. If two-thirds of the Philippine exports, which go to the United States under the free trade, are not sold, the imports would be reduced accordingly. This means that the volume of dutiable imports would be the same as under the régime of free trade. This volume promises to be even smaller if statistical records of the past mean anything.

The Philippines have a favorable merchandise balance in their trade with America from year to year, with isolated exceptions, whereas the contrary is true in their trade with foreign countries. Since the inception of free trade in 1909 that favorable balance totals nearly \$175,000,000 and the unfavorable balance \$85,000,000. This demonstrates that the volume of dutiable goods passing through the Philippine customs, if free trade with the United States is abolished, would be less than at present, following the principle that a country can not import if it can not export.

Under the respective tariff schedules in operation in the two countries, if Philippine goods entering America are to pay the duty, the total levy would be approximately six times that chargeable on American goods entering the Philippines under the Philippine tariff law. A higher tariff schedule in the Philippines would in a measure equalize the benefits derived by each country under the reciprocity arrangement—the Philippines have been the gainer by a wide margin—by keeping imports from foreign sources out, but the Philippine Legislature, which has the power to initiate the enabling legislation, does not see it in that light, relying obviously on the strength of American altruism.

THE BURDEN OF COST REDUCTION

The impressiveness of the situation is brought home by the fact that European workshops have started to send to all corners of the globe manufactured goods which render tariff walls futile. In the United States the antidumping provisions of the tariff law are being invoked to meet the invasion of manufactures coming from the other side of the Atlantic. In the Philippines, if the situation is not corrected, that country will virtually be in a position of being within the American tariff wall when exporting and outside of it when importing.

This is certainly to the advantage of the Philippines. But a one-sided arrangement like that, if not remedied locally, would invite action by the Federal Government, and that would involve political considerations of a controversial nature. Even now the demand for tariff autonomy for the Philippines is heard. The institution of tariff measures is an exercise of sovereign powers and carries with it consequences of international import; it is most unlikely that America would grant absolute tariff autonomy to the Philippines. However, the attitude of Congress toward the Philippines has been one of indifference, and the trade relations of the two countries are likely to receive no attention. It is relevant to state here that if America's exports to the Philippines are lost altogether, she would sacrifice less than 2 per cent of her total exports. If the Philippines give up their exports to America, they would miss about 70 per cent of their exports. This statistically proves that the continuance of free trade is infinitely more necessary to the Philippines than it is to America.

In theory there are two ways by which the Philippines could maintain their present foreign-trade position once they separate from America and are excluded from the tariff wall. The first is by reducing production costs to the level of no protection, and the second is by concluding a reciprocity treaty with America. If one of these means is realized, the greater part of the economic objection against separation from America would be obviated.

Can they be? The vertical and horizontal reduction of production costs is not impossible. But reduction through the improvement and employment of mechanical, chemical, and marketing processes can not be considered an exclusive advantage, because the foreign competitor can be expected to be similarly engaged. The lowering of the costs of production will largely fall on labor. Wages will have to be substantially lowered. The Filipino laborer will resist the diminution of his compensation out of sheer necessity of life. Even the present wage scale does not satisfy him. On it he lives from hand to mouth. His standard of living is higher—he lives better, demands more comfort, pays more taxes, and looks on life and his future with more hope. It would require a major social upheaval to make him accept one-half or one-third of what he is getting now and on which he can barely keep body and soul together. The net result of reducing the wages of labor would be to pull down the standard of living of the Filipino to the level of his principal competitors—the native of the Dutch East Indies and the 10-cents-a-day coolie. This would be a distinct social retrogression, a reversal of Filipino progress and civilization, and a political torch that might set the country on fire.

THE END OF FREE TRADE

The hope of trade reciprocity with America is very scant. America has treaties with more than two score countries containing the most-

favoured-nations clause, and this will not permit her to grant preferential treatment to a Philippine nation. From the standpoints of politics, business, and strategy it would be neither wise nor profitable for America to look exclusively to the Philippines, some 6,000 miles away, for those articles which are obtainable from many other sources. The Philippine products are grown in other countries and are highly competitive.

America does not have to depend on the Philippines for sugar. She can produce this commodity within her jurisdiction and in Cuba, where she has a special position. Manila cigars are not indispensable to American smokers. America does not have to have Philippine coconut oil, copra, embroideries, hats, lumber, and other raw materials; she can procure them in other countries. Rubber will not be sufficient to induce her to revise her treaties, from which she enjoys reciprocal advantages, to enter into an exclusive treaty with the Philippines.

True, the Philippines can furnish about one-third of her rubber requirements, but that rubber can be had in the Dutch East Indies, where it can be grown with cheaper labor, not to mention Liberia and other countries. There are already large American plantations in the Dutch East Indies. That country welcomes American capital. Politics of the unstabilizing kind are not permitted to harass legitimate business in a Holland colony. The Dutch East Indies, with their 50,000,000 inhabitants, have a greater potentiality as a market than the Philippines, with only 12,000,000. Add to these the different interests in America that would be against the free entry of Philippine goods into the United States because they compete with them, and the conclusion is inescapable that after the separation of the two countries the free-trade reciprocity between them would be terminated.

The credit standing of the Philippine government is a subject deserving consideration. At present the credit of that government is morally backed by America. On account of this backing the Philippines have been enabled to float bonded indebtedness in the United States financial market at an average rate of 4.5 per cent. This credit level is higher than that of any country in the world except America herself; it is kept irrespective of the fiscal conditions of the Philippine government. For the backing of America, a backing which the Federal Government does not extend to a State of the Union, and for America's acting as disbursing and registering agent under the indenture the Philippines do not pay a dollar.

Without the moral guaranty of America, the Philippines would have to pay an equivalent of about 10 per cent interest on their bonded debt. To-day Philippine bonds are tax-exempt and are considered gilt-edged securities. The Philippines have a public debt of approximately \$80,000,000, or roughly \$7 per capita, making the Philippines the country with the lowest public debt. On this relatively low indebtedness the American backing to Philippine credit saves the Philippine government yearly a sum equivalent to about one-seventh of its total income.

BUDGET SLASHING

The balancing of the Philippine budget would be a most difficult task, if at all possible, to undertake. The basic fact of the situation is that by the multiplication of government functions, especially the maintenance of national defense and diplomatic service, government expenditures will substantially increase on the one hand, and on the other the taxpaying capacity of the people, by the weakening of the economic sinews, will be reduced to impotence. Even with the prevalent prosperity, there is abroad a general disposition against taxes, which do not exceed \$3 per capita.

A Filipino leader has stated that the government could be run on one-third of the present cost; that is, on \$1 per capita. This would give the government a revenue of about \$12,000,000 annually. This looks alluring to the taxpayer. But can it be done? At present the appropriation for public instruction alone exceeds \$9,000,000 a year. This is for only 40 per cent of the school population; the rest can not be accommodated on account of inadequate funds. The operation of the public health service costs \$3,000,000. These two items alone, which can be reduced only with the most grievous consequences, would eat up the entire revenue. A first-class battleship costs more than \$12,000,000. A diplomatic and consular service has to be set up. Adequate armed forces have to be brought into being. Other indispensable government services have to be provided for. With the most stringent economy, and reducing government activities to the barest necessity of even a skeletonized existence, the revenue of the government would be hopelessly inadequate.

These are arithmetical facts. They ought to be met with plans put into execution to organize the sources of revenue in time to provide the government with the requisites of life. A patriotic and worthy people may have the greatest desire in the world to give generously of their substance for the maintenance of the government, but intention to give is one thing and capacity to give is another. Under pressure of necessity, the temptation to resort to loans would be great. Such course would manifestly be unsound.

Recently a Filipino government finance expert suggested that if necessary to secure the separation of the Philippines from America, loans could be floated in foreign countries and the proceeds applied to the discharge of the obligations held in the United States. This would

be making the debt burdens heavier. It would be substituting a rich creditor with poorer ones. It would be projecting into dangerous fields of international finance and politics. The suggestion, though not called for by any pertinent responsible proposal in America, simply shows how overwhelmingly confusing would the fiscal problems be of a country economically unprepared and not preparing.

The present status of the revenues and the commercial progress of the country are presented as evidence of the country's economic preparedness to meet the obligations of nationhood. They are valueless as such evidence, because the withdrawal of the commercial and financial protection of America would play havoc with the revenues and undo the country's commercial progress. At this point the writer wishes to disavow the statement that economic independence should precede political independence, for he does not mean that; what he means is reasonable economic preparedness and timely economic preparation.

The question of immigration is of great moment to the Philippines. The country can support conveniently 40,000,000 more people. It is surrounded by countries with pressing over-population problems or with a great need for new fields for the economic betterment of their inhabitants. They would gravitate toward the Philippines, exclusion laws or not. An exclusion law must be backed by both moral and physical force—especially physical force.

The enforcement of such law is strictly a domestic concern of a country. Its violation is not an infringement of international law. An exclusion law against Japan would invite vigorous action from the Japanese Government. An exclusion law against the Chinese would not stay their influx into the country; the mere impact of an immense mass of people on an infinitely small mass would be irresistible. The present exclusion laws are backed by the American Government. The Japanese do not emigrate to the Philippines now on account of the indefinite political status of the country, which is translated into uncertainties in the commercial sphere. It is significant, in this connection that the Japanese investment in the Philippines is far and away heaviest in the hemp industry, whose world market the political status of the country does not affect. The immigration of large numbers of Japanese and Chinese into the Philippines would make the economic life of the Filipinos more precarious and dependent, and would upset the country politically, socially, and psychologically, and eventually bring about the obliteration of the Filipino race.

PANACEAS FOR SECURITY

The matter of reasonable security from foreign aggressions would be a grave concern to the Philippines. At present there is no such problem; America looks after that. The fear of external aggression is foreign to the Filipino mind while with America. It does not enter in the counsels of the government at present. The Philippine government has not had a threat or danger of war to consider. Under such circumstances the trust in diplomacy and treaties finds secure lodgment in the hearts of the people. There are expressions of confidence in grandiose principles galore, as if the millennium were at hand. The cold fact is that the size of warlike armaments still largely determine the influence of a nation in world affairs. The fetching phrase "world conscience" has as many interpretations as there are countries under the sun multiplied by the number of their respective interests.

Japan spends a goodly portion of her income to keep an army and navy adequate for the defense of her interests. Would it be meet for the Philippines, with similar interests to protect and situated in the same strategic area as Japan, to have security without its usual costs by merely asking Japan and others to sign a document and call it the guaranty of Philippine sovereignty? Even Belgium, with her solemn neutralization, spent vast sums of money to maintain her magnificent army and the fortifications which caused the tremendous German advance in 1914 heavy losses in men and material.

There are several panaceas advanced for the security of a Philippine nation. The principal ones are membership in the League of Nations, neutralization, constitution into a buffer state between Japan and Great Britain, and American protectorate. Enthusiasts declare that any one of these panaceas, or the combination of them, would be easy to get and satisfactory to all. What are the realities?

The League of Nations offers hope to small countries. But its most sanguine advocate will not claim for it at present, and for some time to come, such a force as would be sufficient for its members to rely on for their safety. France, for instance, a leading member, is not relying on the league for her security, but rather on her military establishment, her economic rehabilitation, and the endless series of pacts and protocols relating to security, peace, and disarmament. Besides this, although its jurisdiction is world embracing, the non-presentation of the Chinese extraterritoriality questions to the league would raise the query whether that body is a concrete enough instrumentality to enforce international law in the Pacific. The situation is therefore this:

The effectiveness of the league as a protector of small nations is yet to be demonstrated, and as long as that is not decisively demonstrable, it is only common prudence for the Filipinos not to place their entire trust in that agency for the security of their country. A suggestion emanating from the league secretariat advanced the idea of a mandate

for the Philippines, with possibly America as the mandatory in the event of their separation. Someone in Geneva must have thought with tragic humor that what is needed is a third party to bring America and the Philippines to understand and appreciate each other better. At any rate, the suggestion has not found the faintest echo in the islands.

A TIGHT PLACE IN THE LINE-UP

The neutralization of the Philippines would not be bad to have, if, in the first place, it could be had; and, in the second place, it would not reduce the Philippines into a vassal state. A neutralization treaty imposes grave obligations on the neutralizing power, including the waging of war to uphold the treaty. No nation would assume such grave obligations without compensating concessions on the part of the neutralized state. When the Philippines give those concessions, they would be infinitely less independent than they are now. Those concessions may include the establishment of extraterritoriality on the plea of the safety of foreigners and their property to obviate the happening of those things that might start international complications. It may mean prohibition of certain acts of international import and restriction of the full exercise of sovereignty, especially as relates to foreign relations. It may even mean exclusive commercial advantages and interference in domestic affairs.

With these obvious possibilities, and remembering the fate of the Belgian neutralization, it would be well for the well-wishers of the Filipinos to weigh the cause and effect of neutralization.

At this juncture it may be mentioned that apparently the most plausible reason against remaining with America is that if the Philippines were a separate country they would not be involved in a war between America and another power in the Pacific. The idea would be disillusioning. The Philippines, on account of their geographical location and the political line-up in that part of the world, would have as much chance to enforce neutrality by herself in case of a Pacific emergency as Belgium had in 1914 or as a Balkan state would have in a Balkan conflagration.

It has been repeatedly said that the Philippines would be willing to grant sites for naval stations to America upon their separation. Coal bases and commercial entrepôts are not warlike establishments, but naval stations are built for hostile purposes. Would not the granting of the latter amount to a self-violation of neutrality in a possible conflict in which America would be a combatant? At any rate, the granting to a favored nation of sites for naval stations would be an irritation to neighboring countries in time of peace and an invitation to hostile operations in time of war. If those stations are reduced by the enemy, could he be obliged to surrender them if the terms of peace leave him free in the premises? Might not that be the beginning of ever-widening spheres of influence?

The Philippines as a buffer state between Japan and Great Britain is said to be a possibility. It is claimed these two countries would keep each other from occupying the Philippines for their respective good. Japan would want the Philippines for her over-population and for the natural resources, which would immeasurably help her in her program of industrialization; Japan's motive would not be covetousness but the biologic urge of self-preservation. Great Britain would look with disfavor on Japan occupying the Philippines. She would have two principal reasons for her attitude. One is political, the other economic. The march of Japanese power and influence southward would be a menace to British dominion in Australasia. The control by Japan of the natural resources of the Philippines would give certain important British industries a formidable competition which might lead to Japanese commercial supremacy in the Pacific. It would seem from this balancing of interests that the two countries would pursue a policy of noninterference with the Philippines.

However, in matters like this it is prudent to be skeptical. The Philippines are too strategically located and too well laden with rich unexploited resources to remain unmolested for long. The political independence and territorial integrity of Korea were specifically recognized in the first Anglo-Japanese alliance of 1902, but three years afterwards, in the treaty renewing the alliance, England recognized Japan's paramount interests in Korea which has since developed into complete Japanese sovereignty over that country. Excuses and occasions will be found. An example will suffice. A heavy Japanese immigration into the Philippines—accompanied, truly enough, with a government protestation of political indifference—would be sufficient to instill apprehensions in the British. Political maneuverings would be started and the position of the Philippines would thereby become precarious and problematical.

SAFETY IN WEAKNESS

The safety of the Kingdom of Siam is pointed out as a precedent for the Philippines. Siam is a buffer State between the British and French possessions in southeast Asia. As read in treaties, Siam enjoys a plenitude of sovereign powers. In practice, those powers are not so absolute. Great Britain and France occupy special positions in the councils of the Siamese Government—invisible, indeed, in matters of foreign relations, but actual in the administration of domestic affairs. In a series of treaties of cession and delimitation, Siam lost

extensive portions of her territory to those two countries. The usual reason given was to clarify their respective positions, help Siam, and eliminate causes of misunderstanding. Ofttimes Siam was only a technical or passively unwilling party to the pacts of amity and delimitation. Certainly the Philippines deserve a better fate than to become a buffer State between even the most benevolent countries in the world.

Another panacea for security, which by its nature lends itself to fervid oratory and platitude, is that the safety of the Philippines would lie in their very weakness and helplessness. Many nations would like to believe in such theory for themselves, but no nation does in fact believe in it. Weak nations do not permit themselves to remain weak, especially when they have a strong neighbor, but enter into alliances for mutual offense and defense. Besides, such reliance on weakness would instill in the Filipino people a sense of national inferiority which would destroy national pride and morale to their undoing.

Among the Filipinos expectations have been rife that America would consent to establish a protectorate over the Philippines. Perhaps no greater disappointment could come to pass. Such a protectorate would politically project America more intimately in the affairs of Asia without possessing commensurate authority. It is reasonable to expect that as a nation, after the collapse of her commercial relations with America, the trade intercourse of the Philippines would largely be with her neighboring countries. That intercourse would carry the concomitant political incidents and problems. What possible justification, unless it be the recurrence of an acute and silly altruism, would America have to look after the good of the Filipinos after they have so insistently asked to be permitted to go their own way alone without due regard to time and conditions? The urge of sentiment and good sense would not be for America to protect the Philippines, but to leave them to their own fate. When many Americans favor the immediate separation of the two countries for the sake of America's safety and treasury, the expectation of an American protectorate would be an iridescent dream.

A POLITICAL BAIT

Viewed as a Far Eastern question, the withdrawal of America from the Philippines might probably lead Japan to assert a Japanese Monroe Doctrine for the west Pacific. In this the support of Great Britain could be counted on. Japan could claim that she would be the country in that region most interested in the preservation of peace. The now historic twenty-one demands on China and the occupation of Korea were justified by Japan on the general grounds of peace and defense.

America maintaining a protectorate in the Philippines would be playing a weak and dangerous hand in the affairs of the Far East, and it would be at once an irritation and an intrusion on the Japanese efforts to secure tranquillity in the region in her own way. It is safe to state that public opinion in America would be overwhelmingly against assuming any responsibility for the Philippines, once the political tie that binds the two countries is dissolved.

It is evident that the choice for the Filipinos is not between American sovereignty and Filipino nationhood, but between America and some other nation. With the present state of international affairs this issue becomes one of vital importance to the Philippines.

How about America's security in relation to her present position in the Philippines? Will it be maintained by remaining or by leaving that country?

One of the principal objections to holding the Philippines is that it weakens America's national defense by extending its line out some 4,000 miles from the Hawaiian base. Experts admit that the Philippines could be taken by an enemy in two weeks. But the loss of that country at the inception of hostilities would serve to contract and solidify her line of defense, while its occupation by an enemy would not help the enemy nation strategically. The reduction of Corregidor at the entrance to Manila Bay by the enemy would not upset America's major naval strategy. The only conceivable value that the capture of the Philippines could bring to an enemy nation is a sentimental one—that is, fortify the morale of its people.

In time of peace, as a demonstration of peaceful intent, the Philippines have a sentimental value, too. The presence of America in the Philippines, with their avowed military vulnerability, is a notice to the world that America is not expecting an armed conflict with Japan, and that America's position in that part of the world is not as a sword pointed at the heart of Japan, as the jingoes are wont to put it. To the Filipinos it may appear that their country, in case it is taken by an enemy upon the breaking out of hostilities, would pass on to the enemy as a conquered territory, and as such their hope of nationhood would be lost for all time. The possession of the Philippines would depend on the ultimate issue of war. That is almost equivalent to saying that they will remain with the United States.

There are treaties of recent date that affect America's position in the Pacific in general. The Washington Conference on the Limitation of Armaments produced two treaties which have a direct bearing on the Philippines. The four-power treaty binds the contracting parties to respect one another's rights in their insular possessions and dominions in the region of the Pacific Ocean. The Philippines are the terri-

torial stake and the political inducement of America in becoming a signatory to the treaty. From this it would follow that their removal from the sphere of American responsibility by the concession of nationhood would invalidate that agreement, so far as it concerns America, by the loss of the supporting consideration. The absence of a provision to meet that eventuality can be interpreted only as signifying that America assumed an obligation not to give up the Philippines during the life of the treaty, which runs for 10 years and is renewable for another period.

Another relevant agreement is the naval-holiday treaty, section 19 of which describes an area in the Pacific in which the parties shall maintain the status quo in land armaments. This section is supplementary to the provision regarding the scrapping of capital battle-ships. The Philippines are within the proscribed area. It stands to reason that the abandonment of the Philippines would release section 19 and thereby disturb the naval equilibrium. The deduction to be made from the existence of these two conventions is that the separation of the Philippines from America during their continuance would require their revision for the purpose of redefining America's position.

THE POWER OF CONGRESS

The most vital political fact touching the Pacific international situation to-day is the scrapping of the Anglo-Japanese alliance by the aforementioned four-power treaty. This has made for the crystallization of Anglo-American accord in the Pacific, which, without a doubt, is the strongest of the forces that support the Pacific stability. The withdrawal of America from the four-power pact, which would follow her withdrawal from the Philippines as a legal consequence, would result in the establishment of the status quo ante in the Pacific and a new political line-up would be brought into being.

An analysis of the respective interests and purposes of the powers tends to show that under the new alignment an Anglo-Japanese rapprochement would be created which would supersede the Anglo-American accord. The result would be that America's stabilizing influence in the Pacific would wane, her influence would weaken, and one of her major foreign policies—the open door in China—would be placed in jeopardy. It logically follows that the course of America with reference to the final status of the Philippines is now an element in her foreign policy. Thus the Philippine problem occupies a wider area in the field of political affairs than that embraced in national laws for the administration of local government in the Philippines.

The permanent annexation of the Philippines has been suggested as a solution to the Philippine problem. It is contended that Congress has no power to let go the Philippines as a separate nation in any case. The contention is based on the theory that the treaty of Paris has made the Philippines a part of America's domain and that Congress is not empowered under the Constitution to alienate American territory. As a corollary to this theory, it is maintained that declarations of Presidents as to policies and expressions of Congress as to intentions, though giving rise to moral obligations, are subordinate to the fundamental issue of whether the relinquishment of American sovereignty over the Philippines would not contravene the Constitution. The Supreme Court of the United States has not yet passed upon this constitutional question.

In the so-called insular cases the power of Congress over the Philippines has been described as general, discretionary, plenary, sovereign, supreme. They have also enunciated that the Philippines are not an integral part of the United States; that the Constitution is not in operation there; and that the Filipinos are neither citizens of nor foreigners to the United States. The affirmative determination of the constitutional question will compel the conclusion that those Filipinos born after the signing of the treaty of Paris are American citizens by inherent right; the rest of the Filipinos would require a collective naturalization to become American citizens. It is doubtful whether there is any remedy in law that could be invoked to stop the granting of nationhood to the Philippines if Congress should pass the enabling act and the President sign it.

If permanent annexation is decided upon, the Philippines would become an incorporated territory. Roughly speaking, the Philippines to-day have all the advantages of such a territory and none of its disadvantages. Under a territorial status the bulk of the local taxes would go to the Federal Treasury; in the Philippines all taxes go into the insular treasury and are spent locally. The change of status would make the Philippines subject to the Federal income and other taxes. The coastwise law would be extended; this would be inimical to the Philippine-American trade. The prohibition law would be made operative; the Filipinos, who are moderate drinkers, do not want this. Economic standards would be upset and there would be general confusion affecting deeply every department of life.

THE CONCENTRATED PHILIPPINES

If the Philippines are organized into a territory, they will become eventually a State of the Union. A State 6,000 miles away, on the other side of the globe, occupied by a people of different race and traditions, is unthinkable. It would jar the very foundation of the Constitution of the United States. The Philippine delegation in Congress would be the largest among the States. They would vote on matters in which they could have but only theoretical interest. To think that

a Philippine territory, once an accomplished fact, would remain as such would be to discount the ambition of the Filipinos to have a democratic government. The agitation of to-day for nationhood would be continued for statehood.

The appointment of a Filipino as governor of the territory would not help the situation. At present a disagreement between an appointed American governor and an elected legislature almost automatically places the former at a disadvantage before the electorate, and the question of right and wrong becomes secondary. A struggle between the legislature and an appointed Filipino governor would place the latter in an even more difficult position. He would probably be derided as a tool of an overseas sovereign power. The proposal to convert the Philippines into a Territory like Hawaii would have a harder time to pass Congress than a straight immediate-independence bill.

Another possible solution of the Philippine problem would be for America to retain the islands of Mindanao and Sulu and grant the rest of the Philippines absolute independence. This is different from the so-called Bacon bill, which does not relate to separation, but only to diminishing the jurisdiction of the Philippine Legislature by providing a separate administration for Mindanao-Sulu.

These two islands cover nearly one-third of the area of the Philippines. They are probably the richest and certainly the least developed portion of the archipelago. As a source of rubber they are most valuable. The forest resource, the immense unharnessed water power, the more than 300,000,000 tons of iron-ore deposits, and the relative freedom from devastating storms combine to make Mindanao-Sulu both a temptation and a provocation.

LOCAL SELF-GOVERNMENT

The independence of the Philippines without them raises interesting possibilities. It means the territorial dismemberment of the Philippines. It may mean also their economic devitalization. With Mindanao-Sulu inside the American tariff wall, growing all the products of the Philippines, and the latter outside of it, Philippine industries would be unable to compete with the former in the continental United States, if not also elsewhere. This reasoning can be met by saying that the cost of labor in Mindanao-Sulu would be higher, and the tariff protection would be neutralized. The counter answer is that either America would see to it that there was effective protection or that oriental immigration would be permitted in Mindanao-Sulu. It is reasonable to expect that with better wages in Mindanao-Sulu, Filipinos in great numbers would find their way thither.

To a Philippine nation the presence of America at her very door might be the solution of her problem of security. This might be considered a compensation for the loss of one-third of her territory, but whether this is excessive or not is for the Filipinos to determine.

To America the retention of Mindanao-Sulu would accomplish all the purposes that the entire Philippines would serve. It would do away with the problem of governing the Filipinos. She would have tropical products, including rubber. The territorial stake under existing treaties would be retained. She would have an Oriental trade outpost and sites for naval stations. And from a strategic standpoint it would be much easier to protect Mindanao-Sulu than the other islands of the Philippine Archipelago. These considerations, weighed in conjunction with those affecting the Filipinos, would make the suggested solution a worthy subject for study and analysis.

The establishment in the Philippines of complete local self-government by Filipinos and deferred separation, with or without date in the future, is receiving wide attention. The sovereign status of America would suffer no diminution or alteration. The Filipinos would draft their own constitution, which Congress would have to approve before it could go into effect. The Filipinos would elect their own governor. The administration in Washington would be represented by a resident commissioner, who would call to the attention of the President of the United States those matters of international import and of fiscal concern to the two countries. Over these matters the sovereign power would have absolute and effective control. The free trade would be continued. In general, the situation would be the same, except that the position of the chief executive would be elective and the fundamental law would be called a constitution.

This plan has been misnamed a dominion status and is likened to the Canadian system. The comparison is not apt and there is no fundamental parallel between the two. The plan is looked upon by the Filipinos as an improvement on and a step in advance of the present organic law. It is calculated to silence the agitation for separation and make way for complete cooperation between the two countries, especially in regard to the development of the natural resources of the Philippines. It has been described as in line with the policy of America of giving the Filipinos control of their local government as fast as it is demonstrated to be justified, always retaining sufficient authority to curb excesses, to act as a moderating influence and to prevent involvement in international complications. In well-informed quarters in both countries this plan is called a happy solution of the Philippine problem.

The present government under the Jones law also has strong advocates. They point out that what is needed to vitalize it and make it serve more effectively the cause of good government is to strengthen the position of the chief executive, clarify the powers of the auditor,

and provide for the elimination of deadlocks between the executive and the legislative branches. The Filipinos oppose these proposals, alleging that they involve a diminution of the autonomy granted the Philippine legislature.

The Philippine problem, accentuated by differences of opinion regarding the administration of local affairs, goes on as the leading topic of the day, overshadowing the other concerns of the people. As a result, the impression is produced that the maintenance of government is all the people's business. This develops into the idea that the people exist for the government instead of the government for them. It is Congress alone that can rectify the situation with a clear and final definition of the future relationship between America and the Philippines.

America's work in the Philippines has been an epic of constructive achievements. It has meant to the Filipinos peace and security, progress and prosperity, liberty and opportunity. On account of a better standard of living, a happier frame of mind, and a more general prosperity the present Filipino generation is stronger in constitution, more equable in temperament, and broader in conceptions. There has not been any commercial exploitation, official oppression, or abridgment of the fundamental rights of the Filipinos. The Bill of Rights in the United States Constitution is incorporated verbatim in the Philippine organic law with two exceptions—the right to bear arms and the trial by jury. These two rights are not denied the Filipinos, but are left to the decision of the Philippine Legislature.

The Filipinos have substantially all the rights and privileges of American citizens, but none of the obligations. Their status is practically American citizenship with a vengeance.

They do not pay any Federal tax. They are immune from the operation of the immigration law. They do not contribute a dollar to the support of the Army and Navy or the maintenance of the Diplomatic and Consular Service. Filipinos are eligible in the military, naval, civil, and merchant marine service of the United States. They are admitted to the West Point Military Academy and the Annapolis Naval Academy at the expense of the United States Government. There are many Filipino officers in the United States Army in the Philippines, the highest rank attained so far being that of major. Of the 12,000 men in that army, 8,000 are Filipinos. There are thousands of Filipinos in the Navy and the merchant marine.

The Philippines are represented in Congress by two resident commissioners elected by the Philippine Legislature. They are paid out of the United States Treasury. It has been stated that since the Filipinos do not pay any tax to the United States, a situation of representation without taxation is thereby created. The Philippine government is self-supporting. The Philippine Legislature is composed entirely of Filipinos. This body, besides having general legislative powers, is invested with powers which a State legislature does not possess. It has, with the approval of Congress, the power to legislate on postal matters, coinage and currency, immigration and foreign tariffs. It has the power to pass laws regarding the acquisition of Filipino citizenship. It has complete jurisdiction over the local income tax; it has, subject to the approval of the President of the United States, control of the public lands, forests, and mines. The Philippines have had separate representation in international postal, navigation, and other nonpolitical congresses, a privilege never enjoyed by a State of the Union as such. There is no prohibition on the President to appoint Filipinos on missions, commissions, and other bodies to look after the interests of America.

The local government in the Philippines is completely in the hands of Filipinos. This comprises the Provinces, cities, and towns. The record of the local governments has been one of progress and efficiency. The supreme court is composed of five Americans and four Filipinos; the chief justice is a Filipino. With the exception of the governor general, the vice governor, the auditor, and a few technical officials, the entire Philippine government is manned by Filipinos. The percentage of Filipinos in the government, not including school teachers, is 98.5 per cent; with the teachers it is more than 96 per cent. Under the present organic law, a Filipino can be appointed governor general and the entire government Filipinoized.

The policy pursued by America in the Philippines is a sharp departure from the colonial policies followed by European nations. Its corner stone is the welfare of the Filipinos. Even the well-being of American citizens in the Philippines is subordinated to this. Certainly the unfurling of the American flag over the Philippines has been a blessing to the people in a thousand ways. The Filipinos are the better for it, America is the better for it, the world is the better for it.

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. BOWLING].

Mr. BOWLING. Mr. Chairman and gentleman, the Cotton Belt of the United States in the year 1926 created new wealth that was added to the wealth of the United States in the sum of \$1,000,000,000, the present value at the decreased and insufficient price of something more than 18,000,000 bales of cotton. The fact that \$1,000,000,000 and more of new wealth was created by the Cotton Belt last year and added to the sum of the wealth of the United States in that amount would ordinarily mean great prosperity to the community that created

that wealth; and if there were no discriminations, if there were a fair division of the wealth, and if there were that equality of opportunity that is supposed to be guaranteed by our Declaration of Independence and our Constitution, then the possession of more than \$1,000,000,000 worth of new wealth would make and ought to make the Cotton Belt of the United States the garden spot of the world and the standard of prosperity of our country. [Applause.] That, unfortunately, is not true, because through the operation of our artificial economic laws of factitious conditions that have been produced by our business organization and system and by legislation from the Congress the South finds itself penalized for growing so much cotton, and when the cry goes up for assistance the people there are told that they must abide by the law of supply and demand.

The law of supply and demand has worked against the cotton farmer. He has made more cotton than the world wants this year, and therefore the price has gone down. That would be perfectly fair if everyone else under the flag had to have his prosperity measured by that same standard, but there has intervened our protective system—not only our protective-tariff system, but there seems to have been engrafted upon America as a lasting policy the matter of protecting not only the manufacturers but the railways through the operation of the Esch-Cummins law, the bankers through the operation of the Federal reserve act, labor through the operation of the immigration law and the creation of the eight-hour day. None of these is required to measure and to secure its prosperity through the operation of the law of supply and demand.

The farmers of this country, not alone in the South but in the West and in the great agricultural sections where the wheat, the hogs, and corn are grown, have been led to believe all through the summer by publications in the press, reflecting the alleged opinions of those in authority, that this Congress would come to the relief of agriculture in America. We have been here now, counting out the Christmas holidays, since the 6th day of December, and we who are deeply interested in this situation hear nothing from those who are making up the program for this Congress. The steering committee that tells us what we shall and what we shall not consider so far has been silent with respect to this great demand that is coming up from the farms of America that they be guaranteed some of the privileges and immunities that have been so liberally extended to the industries of America as distinguished from agriculture. I think that this is a fair expectation on the part of the farmers of the United States, first, because they are unable to help themselves. That is a strange situation, when we consider that the biggest business in the world in volume and in dollars is agriculture in America—bigger than the Steel Trust or the motion-picture business or the automobile business. Yet the farmers can not help themselves, and there are reasons for this. First, we must consider their poverty. They can not finance themselves out of their poverty.

The second reason is their number. There are millions of them. The third reason is the fact that these millions are scattered over hundreds of thousands of square miles of territory, making it impossible for them to come into physical contact with each other. We have had it tried over and over again, and still it appears to me that the impossibility of effective organization has been demonstrated through the Grange, the Farmers' Alliance, and I do not know how many other organizations that farmers have made in an attempt to take care of themselves as industry has taken care of itself through organization; and they have all failed to assist the farmer in holding his place in the march of progress and prosperity. If he can not help himself, who is to help him? We do not want our American agriculture to lapse into the condition of the peasantry of Europe, where practically all of the people, as I am told, belong to the tenant class.

We would desire to see the farmers of America still to be landed proprietors, bound to the soil they own themselves, and gather from it a reasonable profit for the industry and the money they have invested in it. But when we see men growing enormous crops of wheat to feed the world and enormous crops of cotton to clothe the world and when as a result of their industry, economy, and good judgment they find themselves poverty stricken because they furnish the world with cheap food and cheap clothing, it appears that this great American Congress, that has so often intervened to save industry, that shows its tenderness of heart when disaster comes to this and that community, should intervene with its tremendous power and furnish the wisdom to stabilize American agriculture. [Applause.] That is what we want done, so that it should not make any difference in the long run whether cotton is worth 12 cents a pound, as middling cotton is to-day, or 20 cents a pound, if it should be worth that—it would not

be long until business would be adjusted upon a 12-cent basis or a 20-cent cotton basis.

When that is done then prosperity would follow as a matter of course, and the cotton farmer would know when he planted his crop that he would, within reasonable bounds, get a reasonable price for clothing the world. There is more uncertainty about the making of a cotton crop than anything else in which man engages. It is the biggest gamble on earth, and in a sense the cotton farmer—I do not know so much about the wheat farmer, whether it includes that or not—but in a sense the cotton farmer is the biggest gambler in the world in the sense that he takes more chances than anyone else. He does not know when he plants the crop how much cotton he is going to make. After making it he can not control the price which he will receive for it. He has to fight the grass, he has to take his chances with insect infestation. There are other conditions which intervene over which he has no control which may destroy his crop in a day. He does not know what day the hail may come and wipe out a man's whole year's industry in an hour's time. He simply does not know and can not control these things that are beyond human control. But he certainly should have some control over what he receives for his own property that is paid for with the sweat of his own brow. This power we have given to every industry and financial system in the United States, but the American farmer has to compete with the whole world in the matter of farming. There is produced outside the United States nearly as much cotton as in the United States. The wheat farmer has to compete with Crimea and Russia and Argentina just as the cotton farmer has to compete with the farmer in India and in Egypt.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AYRES. I yield the gentleman the remainder of my time. [Applause.]

Mr. BOWLING. If he has to compete with the whole world, as he does; when he has to take the world's price for what he produces, because that is all it amounts to, then those who are receiving in the same land to whom he is furnishing food and clothing ought to be made to live by the same rule; and if, on the other hand, the power of this Government is put behind industry, transportation, and labor to save them from having to sell all they have to sell at the world's price, I say that it is beyond question nothing but fairness and simple, ordinary justice between man and man for this Government now to reach out its hand and lift agriculture out of the slough of despondency into which it has fallen and place it on the same level with industry. [Applause.] So that the discrepancy will no longer exist that he will sell his cotton for 10 cents a pound and go into a drug store and buy it back at \$1.60 a pound when its name is changed to absorbent cotton; when he will go into a store to buy a handkerchief which weighs one ounce, when a pound of handkerchiefs is worth \$1.60 made out of 2 pounds of cotton for which he has taken 25 cents; when he will no longer have to go into a store and pay from \$5 to \$7.50 per pound for cotton voiles and cotton lawns and the other finer grades of cotton products, materials made from cotton for which he has been forced to take the world price in competition with the cotton farmers of Egypt and India. There is too great a difference between 10-cent cotton and the \$1.60 that he has to pay. He is not getting his share of that \$1.50 spread. There is too wide a spread between 10 or 12 cent cotton and the \$7.50 that he has to pay for his cotton voiles and lawns.

The reason why it is unfair legislation is because of the organizations that are stronger and smarter than he is in the matter of industrial organization, who are interested in keeping him where he is, who get their money out of the poor peasantry instead of making it out of the prosperous proprietor farmer, and who desire to keep him where he is; and in order that he may retain this vast spread between the raw material and the finished product he must have him turn the profits into the coffers of those who are organized and able to take care of themselves.

The farmers have been informed of the way that England and Brazil have met similar problems. The producers of rubber in the English Dominion were faced with disaster and suffering because under conditions then existing they were forced to sell their product at a price below the cost of production. They, just as the American farmers, were unable to help themselves, but the English Government came to their rescue with money and organization and the system of marketing which has resulted in vastly increasing the price of rubber with a corresponding benefit to the producers of rubber; the result has been a stabilization of the rubber market, the elimination of violent fluctuations in price, and a profit to the producer.

The same thing has occurred in Brazil with reference to coffee. The coffee farmers of Brazil were in even a more

deplorable condition than are the cotton farmers of America. They were miserably poor, and through the operation of the system then in existence they were forced year after year to sell their coffee for what they could get instead of for what it was worth. They appealed to their Government for relief. Unlike the Republican Congress of the United States, which so far has refused agricultural relief, the Brazilian Congress responded with legislation which raised the coffee farmers from a condition of poverty to prosperity, and this without loss to the Government that furnished the money to finance the operation and without any advance in cost to the consumer.

It would appear to a reasonable mind that as much wisdom exists in the American Congress to correct the evils which now attend agricultural production in America as exists in England and Brazil. If that wisdom does exist in the American Congress it surely is high time that legislation should be enacted to stabilize agriculture. A failure to legislate at this session of Congress will force the American farmer to market his crop of 1927 under the same adverse conditions that now exist; and such a failure to legislate at this session would be inexcusable in the light of knowledge of present conditions. This Congress should seriously contemplate the declining condition of American agriculture, for this declining condition has resulted in the almost universal demand of American farmers for legislation which will place agriculture upon an equal basis with industry.

Information concerning the condition of agriculture is accessible to all who desire it. Successive reports from the Department of Agriculture, surveys by various unofficial organizations, the reports of various agricultural organizations, all furnish uniform testimony to the effect that the condition of agriculture is bad and growing worse.

We must recognize the discrimination that has been practiced both in legislation and business organization against the American farmer. The laws relating to taxation, both direct and indirect, operate in such a fashion as to permit the passing on of more than three-fourths of the taxes of a given industry to the ultimate consumer. The farmer is the only great producer who is unable under our present business structure to pass on to the consumer his costs of production. He has never learned how to pass these charges on, or, to put it another way, he is prevented from passing the cost of production on to the consumer by discriminatory laws. He is at expense for labor, for fertilizer, for interest on investments, for taxes; and after paying all these charges is compelled to accept not what his product has cost, plus a reasonable price, but is forced to accept whatever price may be offered by those who want his product.

Industry, as distinguished from agriculture, has through legislation erected artificial barriers which protect it from outside competition. The manufacturer is not forced to sell in the American market at the price he receives for his surplus in the world market. No such protection is offered to the farmer; he is forced to take for the cotton he sells in America a price that is fixed in Liverpool—that is, the world price. When he is bound by the world price he is in competition with the world. Now, if industry were measured by the same yardstick, it would be perfectly fair all around. The Congress of the United States should not extend a special favor to industry to the neglect and at the expense of the cotton, corn, and wheat farmers. They are entitled to the same benevolent consideration that is extended to other classes of our population.

We see the result of this one-sided discrimination in the condition of business in the South. The clerks are idle in the stores. The goods lie on the shelves uncalled for. Overhead expenses of merchants continue. No profits arise from the sale of their goods. The reason is not far to seek for this stagnation in the retail trade. And that reason is that 3,000,000 cotton farmers have quit buying because they have been forced to sell their 1926 crop of cotton below the cost of production. The manufacturing centers of America should view this situation with alarm, for if the retail merchants, the final distributors of their products, can not sell their stocks of goods, the manufacturer in turn is forced to a decreased production, with the consequent loss in profit, for the retail merchant is unable to buy unless in turn he is able to sell. There is, therefore, a decreased demand for automobiles, radio outfits, clothing, farm machinery, tools, fertilizers, and labor, all of which with mathematical certainty mean substantial decreased profits for the products of American factories.

You can not suddenly eliminate 3,000,000 buyers from the American market without a serious disturbance of business which presently will reach every corner of the United States.

Now, what is the remedy for all of this? The answer is simple, easily understood, and may be given in words of one syllable. Prices of farm products must be stabilized. Instability and insecurity of price must give place to stability. We have heard much about the dignity and importance of agricul-

ture, but that dignity and importance can not last indefinitely in the face of the recurring losses that the farmers sustain year after year when they market their products. The wide fluctuations from year to year in the market price of cotton, corn, wheat, and hogs spell ruin for American agriculture.

I believe that this destructive variation in prices results from the attempt to adjust each year's supply to each year's demand. I have already pointed out a fact, well known to everybody, that on the same acreage with the same investment wide differences in yields result from year to year. There are fat years and lean years in production; a hundred acres in cotton may one year produce 40 bales and the next year may produce only 20; this by reason of conditions wholly outside the control of the farmer. We have had an unusual condition in the Cotton Belt in that for the last three years in succession a surplus of cotton has been produced, and this surplus has steadily reduced the price of the staple until to-day it is selling far below the cost of production. I wish, however, to call to the attention of Congress this outstanding fact: There is no such thing as a permanent surplus. Surpluses are temporary. For the last quarter of a century the so-called surplus has ranged from a million to five million bales annually. If this were a real surplus we would now have on hand around a hundred million bales of cotton. Instead of that we have, at the outside estimate, less than a year's supply. So, any farm relief legislation must be directed to the handling of this surplus to save the cotton farmer from the disasters which uniformly overtake him by having to sell his crop at the world price.

Certain remedial legislation has heretofore been proposed, the main features of which are to set up an organization with a sufficient working capital to finance the marketing of the exportable surplus, to hold it off the market until such a time as there may be a demand at a reasonable price—and I may say in passing that this price should be such as to pay the cost of production plus a reasonable profit, to the end that our farming population may maintain the American standard of living and fairly share in our national income.

Substantially all of the suggested plans have proposed what is known as the equalization fee. An equalization fee is a charge laid upon every bushel of wheat and every bale of cotton to be paid by the farmer and to be used to purchase and remove from the market the surplus. Three dollars per bale on cotton, to be collected by a Government agent at the gin, has been suggested. For the 1926 crop this would mean a tax of \$54,000,000 in addition to all the other taxes and charges which must be paid by the farmer.

To the levying and collecting of such a tax I am opposed. First, because it is wholly unnecessary. The Federal Government is taxing the people of America to-day in the sum of \$3,500,000,000. Out of this vast sum an amount necessary to care for the exportable cotton surplus is but a bagatelle. The Federal Treasury could furnish this money and the people who pay the taxes would never know the difference. A wise and conservative management of the fund would secure the Government against any substantial loss. Another reason why I am opposed to this equalization fee is that it would be a discriminatory tax. As has already been pointed out, Congress has levied tax after tax, paid by the American people, of which American manufacturers have received the benefit. Congress has given hundreds of millions of dollars to the railroads. Why, then, should we balk when it comes to lending on good security fifty or seventy-five millions of dollars to the cotton farmers in America to save them from disaster and set their feet in the high road of prosperity? Farmers guarantee the people of the United States against famine, they feed and clothe the Nation, and this Congress should no longer permit the existence of a system which forces the cotton farmer to take less in dollars and cents for an 18,000,000-bale crop of cotton than he would receive for a 12,000,000-bale crop.

Do you wish to see the farmer share the good things in life? From the Potomac, from Virginia clear down to New Mexico, where these millions of cotton farmers live, there are tens of thousands of them who do not know where they are going to get their supper to-night. I tell you the distress is rampant down in that country, and all this in the face of this tremendous contribution that they have made to the wealth of the United States. These things ought not so to be. If these men can not help themselves we ought to help them; and I lay it on the conscience of the men who are making the program of this Congress to get their united wisdom to bear on this question, to find out and let us know whether or not they have the sense to save the situation. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. FRENCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. TABER].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. TABER. Mr. Chairman and members of the committee, I feel it my duty to say just a few words to you this afternoon about what I regard as the actual truth concerning this cruiser situation and just what we should do in the circumstances. I say this, having in mind the fact that I have always stood for a good, substantial Navy which is adequate to take care of the needs of our country, and having in mind that our committee in bringing in this appropriation bill showed its willingness and its intention to see that the Navy was adequately taken care of by increasing the amount which was provided by the Bureau of the Budget for engineering, which means repairs to engines and machinery of our ships, by \$250,000, by increasing the amount which was reported by the Budget Bureau for construction and repair of the hulls and upkeep of the ships by \$100,000, and by increasing that which was allotted to yards and docks by \$100,000.

Now, I want to give you a picture of what the relative cruiser strength of the major navies is, as I see it, in just a few words. Great Britain has built or has under construction or appropriated for 54 cruisers. Of these, 34 are under 5,000 tons, and all but 4 of those 34, or 30, were built and completed prior to 1920, so that, really, when you come to compare their cruisers with our 7,500-ton and 10,000-ton ships, they have only 20 which are actually comparable. The others are smaller ships, built for different purposes, and older, and of a class which will be nearly worn out when it comes to the time when those which we are now building are completed.

Mr. HOCH. Mr. Chairman, will the gentleman yield there?

Mr. TABER. Yes.

Mr. HOCH. Can the gentleman give us the average age of the cruisers he mentioned?

Mr. TABER. I can not do that, because in grouping those we are considering those which are built and appropriated for; that is the way you get the 54 for the British. I would say that 30, or more than half of the British cruisers, at the end of the completion of the cruisers now building were all built prior to 1920, and our ships, which really are first-line and first-class cruisers, will all have been built subsequent to 1922.

Mr. HOCH. Can the gentleman give us just the average age?

Mr. TABER. I could not give just that figure, but I can say that our cruisers that we count on are all more modern than the average of the 54 British cruisers which are being considered. Thirty out of their 54 are not comparable from the age standpoint with ours.

Of the Japanese 25 that are built or building and appropriated for, 17 are under 6,000 tons under the point of tonnage of those that we are now building and that they are now building; that is, we are not building any more of that size. Great Britain is not building any more; no one except some of the smaller nations. Three of those 17 of the Japanese are under 4,000 tons. Seven of their 25 will be back of 1922.

When you come to consider all those things, we have 15 built, building, and appropriated for; and we are not so bad off when you come to consider all the factors relating to them, because those that we have built or are building or which are appropriated for or authorized are all of 7,500 tons and better. I just wanted the House to think of that situation.

Personally, if there had been no other consideration, I should have been very much in favor of building three cruisers this year, because, I believe, in order to have as many as Great Britain has that are of the first class, we ought to have those three; and I think we would have to go along with another program after those were done unless something happened. But a delay of this year does not mean a great deal. It simply means that we will not be adding to the cruisers now under construction. The actual date of completion can be advanced enough by future appropriations of money if a disarmament conference does not go through, so that the actual date of completing these three cruisers would not be affected very much whether we appropriated for them in this bill or not. That is just the actual situation.

The President of the United States has asked us to leave them out. He has asked us to do it because he, being the person charged with the conduct of our foreign affairs under the Constitution, feels that there is enough chance of a disarmament conference going through, so that he wants us to do it. Therefore I am not going to be one of those who attempts to take the management of our foreign affairs out of the hands of the person who is charged with such management by the Constitution of the United States.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. TABER. Certainly.

Mr. VINSON of Georgia. Does not the gentleman know that the representatives to the preliminary Geneva conference are confronted with a proposition that can not be reconciled in the method of disarmament unless other nations recede from the position that is now maintained? In other words, is it not a fact that of the 19 nations which assembled at Geneva for the purpose of arriving at an agreement of naval disarmament 14 of the nations refused to follow the line of comparison that was suggested by our representatives, which caused a disagreement, and that unless those 14 nations reverse their position there is no hope for a limitation in reference to auxiliary craft in the method now pointed out.

Mr. TABER. I understand that the major portion of what the gentleman has stated is true, but he is going just exactly back to the situation that confronted us in 1922, when President Harding called a disarmament conference at Washington, when everyone all over the world was saying that was going to be a failure and when, as a matter of fact, it was put across. The situation is such that I believe the very same thing can be done now if we in America show our faith, show our good will and an earnest endeavor to put that through.

Mr. VINSON of Georgia. The difference between the situation now and the situation in 1922, when President Harding called the Washington conference, is that we then had 800,000 tons of ships that we could afford to scrap, while to-day we have nothing in auxiliary craft that we can afford to scrap. If the gentleman will give us ships to scrap no doubt we can reach an agreement, but the gentleman will not give us anything to offer in the interest of a reduction in armament.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FRENCH. Mr. Chairman, I yield the gentleman the remainder of my time.

The CHAIRMAN. The gentleman from New York is recognized for seven additional minutes.

Mr. TABER. That might be the situation if the countries which have cruiser strength—which is the only thing under consideration here—took the attitude that they were not willing to come into a disarmament conference, but that is not the situation. Both England and Japan have shown every evidence of a willingness to come into a disarmament conference, and they are the only two countries which have cruiser strength comparable with ours. Why should we let the fact that some one else, who has nothing like that comparable strength, influence our judgment on how we should proceed diplomatically to bring about a situation which will protect not only the peace of the world but the Treasury of the United States.

Mr. VINSON of Georgia. Of course, the gentleman and everyone in the House is very much interested in a further limitation of auxiliary craft, and would not the gentleman do anything he could to help bring that about?

Mr. TABER. Absolutely.

Mr. VINSON of Georgia. The American representatives which the President sent there have said that if you will carry out the 1924 program and lay down the three cruisers they will be in a better position to accomplish what they were sent there for.

Mr. TABER. But the President of the United States, who is charged with the responsibility of carrying on those negotiations, does not feel that that is the situation.

Mr. VINSON of Georgia. But the men he sent there have testified that if you will carry out that program they will be in a better position to accomplish the fulfillment of the mission they were detailed to perform.

Mr. TABER. Nevertheless, the President has taken this position and he believes it will best serve to bring about a disarmament conference, and the fact that some men who have been over there representing the General Board of the Navy feel some other way does not change my opinion one iota. This is the situation: We rely on the members of the General Board of the Navy and upon the admirals and chiefs of the bureaus to tell us the facts that they know, but the diplomatic policy is generally understood to be governed not by those who would fight our battles and who are trained for that but by those who are trained to carry on the diplomatic affairs of our country.

Mr. BRITTEN. Will the gentleman yield?

Mr. TABER. Yes.

Mr. BRITTEN. How does my friend reconcile the attitude of the President when in one breath the President suggests that we do not appropriate for ships already authorized and in the next breath the same President requests the presentation of a bill carrying an authorization for 10 more cruisers?

Mr. TABER. Because the 10 more cruisers, in the ordinary and natural course of events, would not be considered for

appropriation until the next session of Congress, and it is just an ordinary routine step that might be taken to prepare Congress to make appropriations for cruisers, if the necessity arises, at the next session of Congress in the event no disarmament conference is held.

Mr. VINSON of Georgia. Will the gentleman yield there?

Mr. TABER. Yes.

Mr. VINSON of Georgia. From the gentleman's statement made a moment ago, is not that same thing true in reference to the three in the bill now?

Mr. TABER. No; because the President has stated that he believes that the bringing about of a disarmament conference in the coming—

Mr. BRITTEN. Ten years?

Mr. TABER (continuing). Vacation period of Congress will be best aided and most advanced by leaving them out in this instance, and inasmuch as by forwarding the appropriations which are necessary to be made we can bring about the completion of these cruisers, if we need them, just about as quick if we appropriate for them next year, I can see absolutely no possible escape from the conclusion that we should follow the President's wishes.

Mr. WAINWRIGHT. Will the gentleman permit a question?

Mr. TABER. Certainly.

Mr. WAINWRIGHT. Does the gentleman himself really, honestly, believe there is the slightest chance of any naval disarmament conference outside of the processes of the League of Nations within the next year or the next five years?

Mr. TABER. Yes; I think the only chance of having one, and having it successful, is outside of the League of Nations.

Mr. UPDIKE. Will the gentleman yield?

Mr. TABER. Yes.

Mr. UPDIKE. I would like to ask the gentleman if he does not think that the Members of the Congress are charged with a responsibility also in respect of keeping our national defense up to the standard?

Mr. TABER. Oh, the Congress of the United States is charged primarily with that responsibility, and I have not any intention in any way of shirking that responsibility in the slightest. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired; all time for general debate has expired, and the Clerk will read.

The Clerk read as follows:

OFFICE OF THE SECRETARY

SALARIES, OFFICE OF SECRETARY OF THE NAVY

Secretary of the Navy, \$15,000; Assistant Secretaries and other personal services in the District of Columbia in accordance with the classification act of 1923, \$154,880; in all, \$169,880: *Provided*, That in expending appropriations or portions of appropriations, contained in this act, for the payment for personal services in the District of Columbia in accordance with "The classification act of 1923," the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or a different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by "The classification act of 1923," and is specifically authorized by other law.

Mr. HUDSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee in charge of the bill a question. Does this mean that it provides for increases of salary in any case but a decrease in salary in no case? Even though it may be meritorious to decrease a salary, it can not be done under this act?

Mr. FRENCH. I would say that is something that can be done at this time, and will be able to be done under this bill. We do not touch that. That is entirely administrative.

Mr. HUDSON. Does it simply provide then for increases in salaries?

Mr. FRENCH. What this does is to provide for making promotions according to the classification act. One of the provisions is that in grades where there is only one person, that

person may be promoted notwithstanding the average of the grade limit, and other than that, we are simply carrying out the provisions of the classification law under which promotions may be made within the several grades. It is a standard provision. It was carried last year in this bill and is carried in all the bills.

Mr. HUDSON. Then, as I understand the chairman of the committee, this does not change the general purposes of the classification act?

Mr. FRENCH. Oh, no; not at all.

The pro forma amendment was withdrawn.

The Clerk read as follows:

GUNNERY AND ENGINEERING EXERCISES, BUREAU OF NAVIGATION

For trophies and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges, \$46,650.

Mr. HUDSON. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee with respect to the language in line 13, does the Navy possess any permanent ranges or are they hired or rented from year to year?

Mr. FRENCH. Three of them are owned by the Navy; one at Guantanamo, one at San Diego, and one in the New England States. We have been following the practice of also leasing some ranges.

Mr. HUDSON. To what extent?

Mr. FRENCH. Not to any great extent. I would say it fluctuates. It would depend on where the ships are stationed and the demand at a particular place in excess of the accommodations.

Mr. HUDSON. My thought was that if these are established ranges that are being hired year after year, it ought to be the policy of the Committee on Naval Affairs to bring in a recommendation authorizing the purchase of them rather than to spend money in hiring them year after year.

Mr. FRENCH. Generally speaking, that is the policy wherever we use the ranges to any considerable extent.

The pro forma amendment was withdrawn.

The Clerk read to line 18, page 16.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word, and I do so for the purpose, if possible, of making an arrangement with the gentleman having in charge this bill so that in the event the reading of the bill is completed within the next hour or hour and a half, we may have a vote on the cruiser amendment the first thing to-morrow after the convening of the House. My reason for suggesting this to the committee is that a number of the Members of the House on both sides, some opposed to the proposed amendment and some in favor of it, have departmental matters to attend to and want to leave for a couple of hours this afternoon. If such an arrangement could be made, I am sure it would expedite the business of the House to-morrow. I realize, of course, this would have to be done by unanimous consent.

Mr. O'CONNELL of New York. Reserving the right to object, I should like to ask the chairman of the committee in charge of the bill if it is not possible to finish the bill in its entirety to-day?

Mr. FRENCH. Mr. Chairman, in answer to both of the questions, probably a short statement should be made by the chairman of the subcommittee. My thought is, from the interrogations that have been made during general debate, that the chief attention of the House focuses upon three or four questions that follow page 41. My thought is that more time will be required, possibly, on any one of those subjects than will remain after we shall have reached that page. This being the case, I plan when we shall reach the Bureau of Aeronautics, page 41, to move that the committee rise, carrying the further consideration of the bill over until to-morrow.

Mr. BRITTEN. That is perfectly agreeable.

Mr. BUTLER. Yes; that is fine; thank you.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentleman of the committee, it seems that there is a good deal of confusion in the minds of Members of the House, as well as of the committee, as to just what we want to do in regard to carrying out this naval program which was instituted some time ago. You will recall that I was opposed to this program of setting out years in advance a great program, but the House overruled me, and I suppose the country is satisfied with it, and I thought I would go along with the President. Now it seems that he was opposed to the building of the three cruisers, but somebody talked to

him and now he is for the cruisers. I am in the shape of the fellow that wants to stand by but does not know where to stand. [Laughter.]

Here is the trouble, gentlemen—I think the Navy ought to be kept up to a good standard, but we went into a disarmament conference and set the fine example of disarming. We wanted the world to disarm, we were going to lower the taxes and lift the burdens off their shoulders. What did we do? We went into the conference and absolutely scrapped every good ship we had—\$300,000,000 worth of ships, and kept a lot of worthless old hulks that we are obliged to scrap now. Who advised that kind of a program? If you were going to scrap vessels, why did you not scrap the old hulks, the ones that you knew you would have to scrap in a few years? If that is economy I do not know what economy is.

Mr. O'CONNELL of New York. Will the gentleman tell us who authorized the disarmament conference?

Mr. McKEOWN. President Harding called it, but the Navy made up the program of sinking the ships. Now, here is the way I look at that: You are talking peace with your lips and whetting your swords with your hands. That is what you are doing. You say we are going to have peace, and then you come in with a great program of building up a lot of war machinery.

I will tell you what is the matter. The armor-plate men got in their work at the disarmament conference. It was not in their interest to have those old ships scrapped because they knew that if they could scrap the good ships in a short time the old ones would have to be rebuilt or new ones put in their place.

They say that England is not carrying out her program. I tell you that you are proposing a program for the United States to go out here and spend millions of dollars building up a great Navy and put us in the attitude where we can not be relied upon. You ought to set a good example.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKEOWN. Here is the situation, and the people ought to understand it. We have to take care of the defense of this country. We are not Navy men, we are not Army men, except a few Members who have had special training. We have to see that the Nation is taken care of and the man is recreant to his duty if he stands here and lets the country lie defenseless. Here you are going out and lavishing the taxpayers' money on everybody's war scare that comes up here without anybody knowing the real facts. If the outfit that scraps \$300,000,000 of good ships was right, who is right now?

I have to base my judgment on the experts; and when the experts come along here, one standing one way and another another, and the President standing one way to-day and another way to-morrow, where am I to go to and what are you to do? [Applause.] Let us have some settled policy.

Mr. HUDSON. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. HUDSON. Will the gentleman inform the House whether he is in favor of more cruisers or not?

Mr. McKEOWN. I am in favor of standing by the Budget for this year. I am in favor of building aircraft for this country to keep it up with the countries in Europe. You are not anywhere near up in your aircraft.

Mr. VINSON of Georgia. The gentleman says that he is in favor of keeping up the aircraft program. Does he know that the Budget and the subcommittee lack \$7,000,000 of appropriating what Congress fixed as the maximum figure last year to keep it up? And will the gentleman help us to carry out that program?

Mr. McKEOWN. I want to know this from the gentleman before I agree to squander any more money on airships. I want to know what the Navy has done with what we have given them. I want them to give us an accounting of what they have expended; and if they have made good use of it, then I am willing to give them some more, but I am getting tired of spending millions and millions of dollars in aircraft and then complaining that we can not get a fellow who can fly anywhere. You know Will Rogers says that he flew all the way from Berlin to Moscow in one ship of the Russians, and they have not made enough progress yet for us to recognize them. [Laughter.]

Mr. VINSON of Georgia. Will the gentleman go one step further—and I know the gentleman is sincere in his attitude on the aviation matter—will he help us add a dirigible to this bill, so that we can make these long trips?

Mr. McKEOWN. Well, I want to tell you about that. We have been dirigibling a lot over here. We bust a couple of them and lost about \$15,000,000, and I think we better get somebody who can draw a proper plan, so that we will know that the dirigible will stay in the air when it goes up.

Mr. MANSFIELD. Was it not an American flyer who first went to the North Pole?

Mr. McKEOWN. Yes; and that was a great and distinguished service.

Mr. WOODRUFF. And was it not an American plane that made that trip?

Mr. McKEOWN. Yes. But then if you have just one or two isolated planes, why do you come in here and say that you have 300 planes or 500 planes that are not fit to be used and complain and say that we are sending up our flyers in planes that are useless and, therefore, that they have to be scrapped?

Mr. O'CONNELL of New York. The recommended program called for a thousand planes at the end of five years.

Mr. LAGUARDIA. And will the gentleman from Oklahoma inform the gentleman from Michigan that it was an American-built plane but a Fokker design.

Mr. WOODRUFF. Oh, I understand that, but it was an American-built plane.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. WINGO. Mr. Chairman, I move to strike out the last two words. I am not exactly sure where my friend from Oklahoma [Mr. McKeown] is going. He said himself that he was somewhat confused and did not know where to go, but I hope he will not go off with this modern theory that he, as an elected Representative of his district in Oklahoma, has not enough intelligence to determine what is necessary for the national defense, and that that must be left to the decision of one man appointed to office for a long term, with a hobby to see how much he can save and not how the Congress can discharge its constitutional duty to the country. [Applause.] I suppose that I am out of step with those, including my friend from Oklahoma and some of my Democratic colleagues, who seem to be inoculated with the idea that there is truth in the propaganda continually fed to the American people, that the American Congress has neither the intelligence nor the character to discharge its constitutional duty, but that we have to surrender our function to "The Lords of the Budget." I have great respect for the Budget Director. I have great respect for the Comptroller General in the discharge of his duties. I have my ideas about a budget. I believe a budget is very necessary to see that the policies that Congress lays down with reference to the expenditure of public funds are carried out by the executive departments.

The question of a Navy is certainly one that Members of Congress have a right to determine for themselves. I refer now to the general policy. Of course, when it comes down to the design of the ship and all those other technical professional things, the common horse-sense thing to do is to provide the funds and to say to those men who have been trained at Government expense, "Now, you discharge your duty as we have discharged ours." I know there are just as many obstreperous and unreasonable men in percentage in the Navy Department as you will find in each branch of our Congress, but I would not ask the gentleman from Oklahoma [Mr. McKeown] to condemn the entire Navy Department because he does not agree with a few men there, any more than I want the country to condemn the whole Congress on account of the derelictions of a few of us. I have faith in representative government. I have faith in the capacity of this House to determine the kind of Navy that we ought to have. I am not going to talk at this time about what I think about the Washington conference, though I shall at some future time. It matters not what happened; it makes little difference who was to blame for what happened; it makes little difference, so far as the purposes for which we will be called upon to vote to-morrow are concerned, who was or who was not to blame. In any event, the fixed policy that was admitted under the Washington conference was a 5-5-3 ratio. We can all agree upon that. Surely none of us can be accused of extravagance, surely none of us can be said to be reckless with the taxpayers' money, if we insist in our humble way that at least the Navy that was permitted us by that conference be maintained by us by the necessary appropriations. [Applause.]

No one can accuse me of being a militarist. I can appreciate a very clear distinction between the danger of militarism overthrowing a free people when that militarism seeks to exert itself through an organized army on land, but no people's liberty has ever been overthrown by a navy upon the high seas. There is a clear distinction, I think, in determining what

you will do for an army and what you will do for a navy when it comes down to taking into consideration the danger that may arise from militarism. There is nothing to this cry about surrendering to militarism when we come to appropriate for a navy. I can not escape this conclusion. I never want to go through another experience such as I went through when we declared war. A man is not fair to himself if he is so self-opinionated never to confess any mistake. In my more reflective moments constantly this question comes home to me. What would have happened if in the years preceding the World War we had had a Navy that was capable of coping with any threat that might come to our independent action?

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. Could we have prevented being involved in that conflict? No one can answer that question. All that is behind us. But we should profit by that experience. It is reasonable to me, it appeals to my sense of reason, to my logical processes in considering these things, that one of the best guarantors of peace for this Nation in the future is to be sure that our strength upon the high seas shall be such as to command the respect of those who fear only force. I was one of those individuals who had hoped that the world was sick and tired of war, that we had learned our lesson that never again would the world go back to the old, old beaten path with groups of diplomats, with one nation seeking advantage of another, and groups of nations being organized to balance the power of each group. But you have to face the facts. Where is the world to-day? The rest of the world is back to the same old mental attitude. Is it not? You can not pick up your papers in the morning but to read the threat of war between this nation and that nation, of an effort to win one little Balkan State or another little Balkan State from some great power to rearrange the balance of power of Europe. You know, gentlemen, by the history of the past what may result. You know if that course is pursued by the nations of the earth it will bring about the same result as was brought about in the past. Then, gentlemen, is this Nation so impoverished that we can ignore the necessities of the national defense?

I believe in economy, public as well as private; but I believe that this Nation is rich enough, and I believe the taxpayers are not only capable enough from the financial standpoint, but I believe they are willing for this House to vote every dollar that is necessary to give us such a Navy as will not only be balanced, but will be commensurate not alone with the power of this Nation, but commensurate with the responsibility of this Nation in helping to maintain the peace of the world. If we do less, and do it in the name of economy and in trying to play politics with the Budget estimates, we shall be guilty of the worst kind of dereliction of duty.

This thing rises above petty politics. It is a question of national defense. No other consideration should move us in doing our duty. If we need so many cruisers we ought to have the courage to say to the taxpayers, "You must pay for the cruisers." And if you do not need them, then do not vote for them. But the American people are entitled to have an adequate Navy to maintain our prestige and our responsibility in the world, and to make our voice heard when, above the turmoil and the strife of warring conflicts in the rest of the world, we can say, "Peace, be still," and maintain the orderly economic progress of all peoples, and the development and welfare of all nations. Give us a Navy that will maintain our voice for peace in the councils of the world. That is the thought that is in my mind. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SALARIES, NAUTICAL ALMANAC OFFICE

For personal services in the District of Columbia, in accordance with the classification act of 1923, \$29,560.

For pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, \$2,500.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. MONTAGUE. Mr. Chairman and gentlemen of the committee, I ask your attention for a moment. I had not expected to participate in this debate. I am not competent to discuss the technicalities of a naval bill, but I have some convic-

tions as they relate themselves to world-wide conditions and ourselves.

I do not desire to criticize the conference upon the limitation of armaments, held, I believe, in 1922. I do not think the signatory nations have violated that agreement; certainly not its letter, and perhaps not its spirit.

I say that for the reason that those nations considered the question as to whether or not they would include naval vessels under the size of capital ships, and after a thorough discussion of that question, the participating powers determined to exclude all except capital ships and scout cruisers; and the latter only as to tonnage; that is, 10,000 tons. Therefore it is perfectly competent for those nations to build any number of cruisers they want, and all other types of ships, provided they are under 10,000 tons.

Of course, gentlemen, it is perhaps lamentable—and I do not mean this as a partisan criticism—that we went so far as to bar ourselves from fortifications anywhere south of the Hawaiian Islands, because, if I understand anything about our warships, they have no cruising radius to fight from the Hawaiian Islands at a distance essential to the protection of the Philippine Islands. But that I leave aside.

The argument is presented that we shall not give consideration to the maintenance or the enlargement and reinforcement of our Navy because there is in sight a conference for the limitation of armaments. I asked the distinguished gentleman from Alabama for his authority for such a conference. Where is it? Is it in the heavens, upon the earth, or upon the seas? Where is any definite, concrete proof that the United States can secure a conference for the limitation of armaments? I make the assertion with diffidence, but confidence in my own mind, that the request of the United States for a conference on the limitation of armaments will fall upon deaf ears. The only powers that can bring about a conference for a limitation of armaments is the League of Nations, which may ask it. They desire to assume the initiative, and they will not listen to America's assumption of precedence or initiative.

I regret to make this statement, but I can not escape that conclusion. The President therefore very wisely, as I now recall, made the statement that now was not an auspicious time to submit a request for a conference for the limitation of armaments. As I see it, we have no prospect of such a conference.

What is our position in the world? Are the nations so friendly to us that they will come to our rescue at any moment on our cry? Has America in her long history stood more barren or destitute of friends than she stands to-day? I do not criticize any party or any administration of our Government for that situation but the situation is obvious.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. VINSON of Georgia. I yield to the gentleman five minutes.

Mr. MONTAGUE. I submit the contention or the statement to the House that America is alone to-day in the world. We must stand together if we wish the peace of the world; and if we will not stand together, in what position are we in assuming such a prodigious and solitary responsibility withholding any association for a league of nations or an international court of justice, and with no practicability for a disarmament conference? There is not a plan or device for peace to-day to which America lends any real assistance. I am not criticizing; I am narrating facts. Therefore if we have no friends to whom we can appeal, if we have no associates among the nations of the earth on whom we can rely for cooperation, and when, on the other hand, we are confronted with almost malignant hate, we must inevitably stand alone and tread the path which nations have pursued for generations; and if we must pursue that path, we must carry the arms necessary for protection.

When we resist the appeals of nations for cooperation and protection, then we must give to the people of America, whom we represent, that protection which our solitary position inexorably necessitates.

With respect to the number of cruisers and other ships, I do not know. I witnessed one war when a great majority in this House said there would be no war. I voted on one occasion—being the only member of my delegation—for an increase of the Army and the Navy, and my vote was a source of personal embarrassment. I was only solaced but not satisfied a few months later when our own house was afire and we did not have the preparation we should have had. Who can tell? Shall we await the event to tell us?

I am inclined at this juncture not to enter upon a great building program, but we should at least show the nations of

the world that we have an appreciation of our safety and the means to defend it.

I suppose as men grow older in public office they naturally reach that state of mind, which John Stuart Mills once spoke of in a rather remarkable aphorism, that in our younger days we think too much of progress, while in older and maturer years we think too highly of security. But whether young or old, I submit that the first duty of this hour is the security and safety of the American people. [Applause.]

Now, one other observation, and I am through. This House can not relieve itself of its duties by delegating the responsibility to the President of the United States. There is a document which we have severally sworn to support, and which, I hope, still has binding force upon the Congress. In enumerating the powers of Congress this document—the Constitution—declares:

The Congress—

Not the Executive, not the judiciary, but the Congress alone—

shall have the power * * * To declare war * * *
To raise and support armies * * *
To provide and maintain a Navy.

There is not a word or letter in the Constitution which imposes that duty upon the President. His duty is to execute and enforce the laws enacted in pursuance of that authorization. [Applause.] I say that in no criticism of the President. I respect all of the Presidents of the United States, and especially the present incumbent, but our respect and our loyalty to the President can not relieve us of our obligations under the Constitution which are primarily and fundamentally our responsibility and our duty. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for one additional minute in order that I may ask him a question.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from Virginia may proceed for one additional minute. Is there objection?

There was no objection.

Mr. BUTLER. Remembering well everything the gentleman has said, and being impressed with his last sentence, is the gentleman quite sure that the President does not want to build these three cruisers?

Mr. MONTAGUE. No; I am not, I will say to my distinguished friend from Pennsylvania; but there has cropped out in the debate an apparent desire to relieve us of our duty and put it upon the President.

Mr. BUTLER. Who made the Constitution you read? I understood the Americans made it, and America will provide a way to defend it.

Mr. MONTAGUE. I will say that in the last analysis the people of the several States made the Constitution of the United States. [Applause.] If I had been less provincial, I would have told the gentleman who I think wrote most of it. [Laughter.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders—pay, \$28,170,569; rental allowance, \$5,832,128; subsistence allowance, \$3,568,400; in all, \$37,571,097; officers on the retired list, \$5,044,284; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$1,000; pay of enlisted men on the retired list, \$1,752,328; extra pay to men reenlisting after being honorably discharged, \$2,056,325; interest on deposits by men, \$2,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay to men for diving and cash prizes for men for excellence in gunnery, target practice, and engineering competitions, \$64,465,298; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment at not to exceed \$100 each, civilian clothing not to exceed \$15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water or airborne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, \$2,289,783; pay of enlisted men under

going sentence of court-martial, \$225,500, and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, \$1,512,000; pay and allowances of the Nurse Corps, including assistant superintendents, directors, and assistant directors—pay \$649,080, rental allowance \$24,000, subsistence allowance \$20,805, pay retired list \$4,500; in all, \$698,385; rent of quarters for members of the Nurse Corps; pay and allowances of Fleet Naval Reservists of the classes defined in sections 22, 23, 24, and 26 of the act of February 28, 1925, \$7,980,000; reimbursement for losses of property under act of October 6, 1917, \$5,000; payment of six months' death gratuity, \$150,000; in all, \$123,753,000.

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out the last word, for the purpose of obtaining some information from the chairman of the subcommittee. Does the amount of \$64,465,298, appearing on page 28, line 15, limit the number of enlisted personnel of the Navy?

Mr. FRENCH. What we have undertaken to do is to make provision for 82,500 enlisted men, the same as the current year.

Mr. VINSON of Georgia. As a matter of fact, is it not correct that Congress authorized an enlisted strength of 86,000 men some years ago? We have an authorized enlisted strength of 137,000, but the actual enlistment is fixed by Congress through the appropriations they make.

Mr. FRENCH. Well, the gentleman will recall that the provision for 86,000 enlisted personnel was made for a particular year.

Mr. VINSON of Georgia. What I want to ascertain from the gentleman is this: Is the subcommittee of the opinion that 82,500 is all the enlisted personnel the Navy requires to carry on the naval missions it is now performing?

Mr. FRENCH. That is the judgment of the committee; yes.

Mr. VINSON of Georgia. Would it not be better for the gentleman's subcommittee to reach some figure and stay there, instead of year by year changing, so the Navy Department will know definitely what the policy of Congress is and whether the number is going to be 86,000, 82,000, or whatever number, so they can allocate these men and regulate the Navy according to the number of men they have?

Mr. FRENCH. It is the position of the subcommittee that the number of men provided for should have relation to the service for the particular year. Generally speaking, the service runs approximately the same from year to year. Some years one group of ships will be out of active service, as, for instance, the three battleships this year and the three battleships last year; another year other ships may be out; next year we will have two additional airplane carriers coming in, and we must have regard for the need of men rather than a policy that would set up a specific number of men as a sort of shibboleth to appropriate for, regardless of whether we need their services or not.

Mr. VINSON of Georgia. I would like to ascertain from the gentleman, as I inquired of him yesterday, where he is going to put these additional 5,000 men that he stated last year were necessary. Is it not a fact that in view of three ships coming back in commission that have just been overhauled, together with the *Saratoga* and *Lexington* coming in commission, that it is necessary to have more than 82,500 men to man the ships with the complement that should be required?

Mr. FRENCH. No; and it does not follow that there is any inaccuracy in the statement of plans of a year ago. You might assume that on the basis of the period of the year within which the aircraft carriers will be in full commission and the period of the year that the three battleships will be in full commission, they would take a pro rata share of approximately 5,000 men.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FRENCH. You might assume that. Then if you could find the men to take care of that situation in other activities of the Navy, it would be foolish to incorporate 5,000 additional men to meet that particular purpose.

Mr. VINSON of Georgia. One would be justified in assuming that the 82,500 men in the Navy now are required, and that you have got to have that many men in the Navy to take care of the ships with the complement they now have, is that correct?

Mr. FRENCH. We think approximately 82,500, for which allowance was made for the current year, will be adequate to take care of the situation for this year, and a like number will meet the situation for next year.

Mr. VINSON of Georgia. Then the only conclusion one can reach is that the ships now have too large a crew or else when

you put in commission the two carriers you have got to get the men by further enlistments.

Mr. FRENCH. No; it might mean that some other ships would not be in the service.

Mr. VINSON of Georgia. That is the point I wanted to bring out. Can the gentleman tell the committee what ships his subcommittee contemplate taking out of commission so you can operate the Navy with the 82,500 men when two ships that require 2,300 men go into commission this year?

Mr. FRENCH. We have assumed that the *Nevada* and the *Oklahoma* would probably be withdrawn for a portion of the year from full commission to undergo large overhaul. We have assumed that upon the proposed allocation of men on the basis of 86,000, that one or two of the older types of cruisers would also be withdrawn and that a number of men would be released there. We have also recognized that the three ships undergoing major overhaul will be in commission only part of the year, and likewise that same situation will probably be true touching the two airplane carriers.

Mr. VINSON of Georgia. This is the situation, is it not? Three ships go back into commission that have been recon-ditioned.

Mr. FRENCH. For part of the year.

Mr. VINSON of Georgia. And in addition to that, two ships that require a complement of 2,340 men, go into commission the same year; and yet the gentleman proposes to operate the Navy with 82,500 men by taking out two ships that only have 1,300 men on them. Now, does not the gentleman think that in view of the ships coming into commission, the *Saratoga* and the *Lexington*, which are airplane carriers, that he should reduce the complement of the other ships to make up the enlisted personnel on those two ships? Does not the gentleman think that is the proper course to pursue to take care of these ships and to at least have an enlisted strength of about 84,000 men?

Mr. FRENCH. No; I think that will not be necessary.

Mr. VINSON of Georgia. Of course, the gentleman in his subcommittee, by withholding the money, can cut the personnel down to 60,000 men; but the Congress could authorize an actual enlistment of 137,000 if it saw fit to do it, and as long as the gentleman regulates the strength of the Navy by the amount of money he appropriates, of course the gentleman can make a ship perform with a complement of about 85 or 90 per cent. But when he does that, does not the gentleman recognize the fact that he is interfering with the training of the enlisted personnel and that the Navy is not operating as efficiently as it would if you gave them sufficient money to have a full complement?

Mr. FRENCH. We are not reducing the complements for the coming year below what they are for the current year, I would say to the gentleman from Georgia.

Mr. VINSON of Georgia. Is it not a fact that they are too low for the current year? We have in commission the same number of ships we had when we had 86,000 men and yet you are operating the ships with 82,500 men. Now, one of two things naturally follows. We either had too many men on the ships when we had 86,000 or we have not enough when we have 82,000. I trust the gentleman hereafter, when he looks after the personnel of the Navy, in trying to ascertain how many men should be in the Navy, will bear in mind that the very life of the fleet depends upon the personnel, and when he is strangling the personnel of the Navy he is, in turn, limiting the functions of the fleet.

I withdraw the pro forma amendment, Mr. Chairman.

Mr. FRENCH. Mr. Chairman, I want just about a minute to reply to the statement of the gentleman from Georgia and to reiterate what I said yesterday.

The committee recognized when the proposed allocation by the department through the Budget came to the committee on the basis of 86,000 enlisted personnel that it was proposed that 60,117 be allocated to sea duty. We have provided in the bill for that number. We have then provided in the bill approximately as many men for shore duty as were on shore duty last September. The two figures together give approximately the figure of 82,500; or, in other words, an adequate number of enlisted men to meet the situation for the coming fiscal year.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. I presume, from the gentleman's statement, that the amount carried that permits them to have 82,500 is the amount that the Budget sent to the gentleman's subcommittee?

Mr. FRENCH. That is correct.

Mr. VINSON of Georgia. Then the gentleman goes on record as saying that the Budget says they shall have 82,500 men and you accept the Budget's statement regardless of what the conditions of the fleet might require.

Mr. FRENCH. Oh, no; the gentleman does not understand me, I think, that way. The fact of the matter is that allocation is the allocation that went from the Navy Department to the bureau as to how the Navy Department would allocate 86,000 men if it had them to allocate.

Mr. VINSON of Georgia. The gentleman will bear in mind it is not so much an allocation of the men. You have got 82,500 men to function in the Navy. Of course, the policy of the department is to put one-third of them on shore and two-thirds afloat, but the point is you have not enough men to man the ships to the full requirements of the ships, and when the Budget said 82,500 no doubt the Navy Department had fought for more and had asked for 84,000 or had asked for 86,000, and the Budget said, "We will only give you 82,500," and then the gentleman's committee says that is all the Navy can have because the Budget says 82,500.

The point I make is this: For one I am opposed to the Budget making the appropriations. I want Congress to make the appropriations. I want the subcommittee to inquire what the actual need of the various departments is, regardless of what the Budget says. Read the hearings and you will find that the chairman asked this gentleman to make a statement. You know there is an Executive order prohibiting an officer of the Army or the Navy from telling the Appropriations Committee that the department needs more money than the Budget recommends. The Budget recommends money for 82,500 men, and the admiral or any other officer is precluded by an Executive order from telling the gentleman from Idaho and his subcommittee that they need more money unless the gentleman

from Idaho asked him the question. If you read the hearings you will not find very many inquiries where they are asked if they need more money than the Budget recommends. Of course, we know that nine times out of ten the committee follows the recommendations of the Budget. I trust that the gentleman from Idaho in the future will make these inquiries, and, if he can, put five more ships in commission and still man them with 82,500 men, when the ships that we have got in commission to-day require 82,500 men, then I will say he is some juggler of figures. [Applause.]

Mr. BACON. Mr. Chairman, I move to strike out the last two words for the purpose of asking unanimous consent to insert in the RECORD a table prepared by the Navy Department showing how they will dispose of the men if they are only allowed 82,500. It shows that 16 battleships of the first line will have to run with 90 per cent of their complement. It shows that 103 destroyers of the first line will have to be satisfied with 87 per cent of the complement.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. BLACK of New York. Reserving the right to object, I want to point out to the gentleman that if the entire 276 destroyers were in commission that the chairman of the subcommittee stressed as a part of the Navy they would be manned by 40 per cent of their personnel.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BACON. And in closing I wish to indorse everything that the gentleman from Georgia [Mr. Vinson] has said. He is absolutely right.

The following is the table referred to:

Proposed operating force plans of seagoing forces and personnel for fiscal year 1928

Item	Complements 100 per cent	Allowance 80,750	Per cent	Allowance 82,500	Per cent	Allowance 84,000	Per cent	Allowance 86,000	Per cent
1 16 battleships, first line.....	19,372	17,480	90.2	18,406	95	18,406	95	18,406	95
2 2 battleships, first line (reduced complement).....	2,368	600	25.3					2,250	95
3 2 cruisers, second line.....	1,246	942	75.6						
4 10 light cruisers, first line.....	4,260	4,070	94.8			4,290	100	4,290	100
5 2 light cruisers, second line.....	572	542	94.7			858	100	858	100
6 2 aircraft carriers, first line.....	2,346	2,228	94.9			2,346	100	2,346	100
7 1 aircraft carrier, second line.....	326	309	94.8			326	100	326	100
8 2 mine layers, second line (present duty).....	605	574	94.9						
9 103 destroyers, first line.....	11,742	10,300	87.7	10,918	93	10,918	93	10,918	93
10 6 light mine layers.....	594	564	95			594	100	594	100
11 48 submarines, first line.....	1,872	1,872	100						
12 29 submarines, second line.....	841	841	100						
13 5 fleet submarines, first line.....	366	361	98.6						
14 12 patrol vessels, gunboats.....	1,004	948	94.4			1,004	100	1,004	100
15 6 patrol vessels, converted yachts.....	560	602	107.5						
16 6 auxiliaries, destroyer tenders.....	2,538	2,458	96.8			2,567	101.1	2,567	101.1
17 6 auxiliaries, submarine tenders.....	1,766	1,693	95.8			1,766	100	1,766	100
18 1 auxiliary, aircraft tender.....	285	271	94.7						
19 2 auxiliaries, repair ships.....	908	872	96						
20 2 auxiliaries, store ships.....	376	356	94.6						
21 1 auxiliary, collier.....	166	157	94.5						
22 9 auxiliaries, oilers.....	1,051	993	94.4						
23 1 auxiliary, ammunition ship.....	177	168	94.9						
24 3 auxiliaries, cargo ships.....	311	299	96.1						
25 2 auxiliaries, transports.....	615	584	94.9						
26 2 auxiliaries, hospital ships.....	732	449	61.3						
27 7 auxiliaries, ocean tugs.....	303	292	96.8						
28 27 auxiliaries, mine sweepers.....	1,472	1,285	87.3						
29 5 auxiliaries, miscellaneous.....	732	693	94.6						
30 Flag complement.....	1,161	1,102	94.9						
31 Fleet aircraft.....		1,640		1,727		1,727		1,727	
32 Total afloat.....		55,545		57,176		58,115		59,765	
33 Aviation ashore.....		3,094		3,257		3,257		3,257	
34 Naval districts (excluding aviation).....		22,111		22,067		22,628		22,978	
35 Total ashore and afloat.....		80,750		82,500		84,000		86,000	

¹ Oklahoma and Nevada full complement (+ 1,650 men).
² 3 light cruisers, second line (Cleveland in commission).

³ 4 full complement; 1.9 per cent.
⁴ 1 full, 1 reserve.

Mr. COYLE. Mr. Chairman, I rise in opposition to the amendment. I want to state at this time that there is a magazine in my hands the current number of which has an article that bears out the statement just made by the distinguished gentleman from Georgia. It is worth while for any Member interested in the maintenance of national defense to read this article before we vote to-morrow on some of these amendments.

Mr. O'CONNELL of New York. If the article is so good, I think the gentleman ought to name the magazine and the author of the article.

Mr. COYLE. The name of the magazine is the Atlantic Monthly and the article is by Clifford Albion Tinker. He is entirely unknown to me or to anyone I have talked to, but it is an able article nevertheless.

As long as I have mentioned it, I want to call attention to the fact that in the same magazine is another article very ably reviewing the year's performance in Congress and the Federal Government generally. The first part of the article says concerning the Morrow Air Board, of which the gentleman from Georgia [Mr. Vinson] was a distinguished and patriotic member:

The appointment of the Morrow Air Board was the most statesman-like act of the present administration. That board submitted its report in December, 1925. Its recommendations, based on exhaustive investigation by disinterested experts of first ability, furnished out a fairly complete guide for Congress in legislating for the needs of Army, Navy, and commercial aviation. I make no doubt that the future historian will find that its aviation legislation (following in a

general way recommendations of the board) was the most important achievement of the late session. Commercial aviation has not yet found its stride, but it will ere long, suddenly, amazingly. Aviation will soon be in the very forefront of the Nation's activities.

The Clerk read to the bottom of page 39.

The CHAIRMAN. Without objection, the spelling of the word "Puget" will be corrected in line 22, page 39.

There was no objection.

The Clerk read as follows:

Submarine base, Pearl Harbor, Hawaii: Improvements toward general development, \$365,000.

Mr. FRENCH. Mr. Chairman, I have here a copy of a letter and a set of resolutions sent to the President of the United States by the officers of the Federal Council of the Churches of Christ in America, transmitted to me by direction of the President. I ask unanimous consent that the letter and resolutions be incorporated in the RECORD at this point.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks in the manner indicated by incorporating therein the communication referred to.

Mr. FRENCH. Probably I should say that the documents bear upon the position of the President respecting future limitation of armament programs, the three-cruiser program, and matters relating to the same.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

Mr. BACON. Mr. Chairman, reserving the right to object, would the gentleman from Idaho also be willing to have inserted at this time resolutions signed by eighteen-odd patriotic societies in favor of an increased Navy program?

Mr. FRENCH. Does the gentleman offer such resolution?

Mr. BACON. I will offer it; yes.

Mr. McSWAIN. Will the gentleman from New York please tell us what the societies are and where they are, and perhaps some of the rest of us might have something to say in the matter.

Mr. BACON. I was referring to the American Defense Society, the National Civic Federation, the Chamber of Commerce of the State of New York, and other such patriotic and civic societies. I shall withdraw my reservation of objection and at the same time ask unanimous consent to insert this resolution.

The CHAIRMAN. The gentleman withdraws his reservation. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The letter and resolutions referred to by Mr. FRENCH are as follows:

FEDERAL COUNCIL OF THE CHURCHES OF CHRIST IN AMERICA,
New York, Washington, January 4, 1927.
The PRESIDENT OF THE UNITED STATES,
Washington, D. C.

SIR: It is our duty and honor to convey to you the inclosed copy of a resolution adopted by our administrative committee on December 24, 1926, with reference to the policy of the administration stated in your message to Congress of December 7, 1926, urging the importance of a positive program for reduction of naval armaments and opposing an immediate increase of our cruiser-building appropriations.

Respectfully and sincerely yours,

Rev. S. PARKES CADMAN,
President.

GEORGE W. WICKERSHAM,
Chairman.

Right Rev. CHARLES H. BRENT,
Vice Chairman.

Rev. CHARLES S. MACFARLAND,
General Secretary Federal Council of the
Churches of Christ in America.

Rev. SIDNEY L. GULICK,
Secretary Commission on International
Justice and Good Will.

THE NAVAL BUILDING POLICY OF THE UNITED STATES

The administrative committee of the Federal Council of the Churches of Christ in America notes with profound satisfaction the following important utterances bearing on the policy of the United States with reference to enlarged expenditure for naval armament:

1. In his message to Congress on December 7, 1926, President Coolidge stated that the proposed expenditure of \$680,000,000 for the coming fiscal year for the Army and Navy provides "the most adequate defensive force" our country "has ever supported in time of peace"; and that "as a whole our military power is sufficient."

2. On December 8, 1926, in his message regarding the Budget, the President stated further that "no provision is made in the estimate

for the Navy Department for commencing the construction of the remaining three of the eight light cruisers" already authorized, because "this country is now engaged in negotiations to broaden our existing treaties with the great powers which deal with the elimination of competition in naval armaments"; and that "it would be unfortunate at this time and not in keeping with our attitude toward these negotiations to commence the construction of these three cruisers."

3. The Hon. Charles Evans Hughes said when Secretary of State that "So far as we can see into the future the United States is not in the slightest danger from aggression; in no single power and in no possible combination of powers lies any menace to our security."

4. And the Hon. Frank B. Kellogg in a message published December 24, 1926, affirmed that "one of the greatest obstacles to such understanding and sympathy (between nations) is brought about by competitive armaments on land and sea. History has shown that this competition is one of the conditions most pregnant in provoking fear, followed by armed hostility." Moreover, outstanding leaders in many lands have recently made numerous significant declarations along the same lines, stating among other things that "the next step should be a general agreement for the reduction and limitation of armaments."

5. And, finally, in his Omaha address in 1925 President Coolidge declared that "our country has definitely relinquished the old standards of dealing with other countries by terror and force and is definitely committed to the new standard of dealing with them through friendship and understanding." And in his sesquicentennial address at Trenton on December 29, 1926, the President reaffirmed his convictions when he said, "I do not believe that we can advance the policy of peace by a return to the policy of competitive armaments."

Therefore be it resolved by the administrative committee of the Federal Council of the Churches of Christ in America—

First. That it inform the President and Congress that it wholeheartedly supports him in his opposition to enlarged naval expenditures for the building of additional cruisers at this time.

Second. That it commends the policy announced by President Coolidge for broadening the application of the spirit and principle of the limitation of armament formulated at the Washington conference and earnestly hopes that Congress will cooperate with the President in every possible way in bringing the nations into conference to carry out this policy.

Mr. BACON. Mr. Chairman, I make my request for unanimous consent at this time.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the document to which he has referred. Is there objection?

Mr. BLACK of Texas. Mr. Chairman, reserving the right to object, is it one resolution or are there 40 sets of resolutions?

Mr. BACON. One set, signed by many organizations.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution referred to by Mr. BACON is as follows:

Resolution of December 23, 1926

Whereas we look with grave concern upon the present condition of the Navy and the failure to maintain the 5-5-3 ratio and particularly to provide for the full force of modern vessels, which can be maintained in accordance with our treaty obligations, and

Whereas we consider the policy of the Government toward the Army one that demands the attention of all American citizens with particular reference to its maintenance in size and provision for the proper dignity and health of officers and health of men; now, therefore, be it

Resolved, That the chairman be authorized to appoint a national Army and Navy preparedness committee representative of the patriotic societies and civic organizations to urge upon Congress the proper maintenance of our defense forces, such committee to convene at the request of the chair, elect their own officers, and determine their own program of action.

(The following organizations were present and signed these resolutions:)

The National Security League, Army and Navy Club of America, Manhattan Chapter Reserve Officers Association, Military Order of the World War, New York Chapter of Military Order of World War, New York Junior Board of Trade and Transportation, American Defense Society, The Government Club, Chamber of Commerce of the State of New York, Daughters of the Revolution, Daughters of the Revolution, State of New York, Military Society War of 1812, Veteran Corps Artillery, Military Order of Foreign Wars, United States Junior Naval Reserves, Sons of the American Revolution, Soldiers and Sailors Club, New York University Chapter of Scabbard and Blade.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having assumed the chair as Speaker pro tempore, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15641, the naval appropriation bill, and had come to no resolution thereon.

Mr. O'CONNELL of New York rose.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. O'CONNELL of New York. For the purpose of making a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'CONNELL of New York. Whether it is the intention of the chairman of the subcommittee to take this bill up and complete it immediately after the reading of the Journal tomorrow and make it the continuing business until we finish the bill?

Mr. FRENCH. Mr. Speaker, the chairman of the subcommittee hopes that may be the program, and expects it will be.

Mr. O'CONNELL of New York. Very well.

ADJOURNMENT

Mr. FRENCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 11 minutes p. m.) the House adjourned until tomorrow, Thursday, January 6, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for January 6, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

To establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agriculture commodities (H. R. 15474).

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Commerce Department appropriation bill.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 15540).

COMMITTEE ON ELECTION OF PRESIDENT, VICE PRESIDENT, AND REPRESENTATIVES IN CONGRESS

(10.30 a. m.)

To amend Federal corrupt practices act, 1925 (H. R. 15341).

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

To authorize oil and gas mining leases upon unallotted lands within Executive order Indian reservations (H. R. 15021).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To hear General Patrick and Assistant Secretary of War Davison on the progress made in the five-year program of the Air Corps.

COMMITTEE ON PATENTS

(10 a. m.)

To protect trade-marks used in commerce, to authorize the registration of such trade-marks (H. R. 13486).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

Authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio (H. R. 13499).

To authorize the purchase of a post-office site at Tamaqua, Pa., subject to mineral reservations (H. R. 15016).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

844. A letter from the president of the Georgetown Barge, Dock, Elevator & Railway Co., transmitting the annual report of said company for the year ending December 31, 1926; to the Committee on the District of Columbia.

845. A communication from the President of the United States, transmitting a draft of proposed legislation approving the action taken by the Secretary of Agriculture, in using funds from appropriation for the eradication of foot-and-mouth and

other contagious diseases of animals, to extend immediate relief to owners of crops and livestock damaged or destroyed by hurricane in the State of Florida during September, 1926 (H. Doc. No. 626); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. COLTON: Committee on the Public Lands. H. R. 13212. A bill granting certain lands to the city of Bountiful, Utah, to protect the watershed of the water-supply system of said city; without amendment (Rept. No. 1666). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWOOPE: Committee on Invalid Pensions. H. R. 13450. A bill granting pensions and increase of pensions to widows and former widows of certain soldiers, sailors, and marines of the Civil War, and for other purposes; without amendment (Rept. No. 1667). Referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT: Committee on the Public Lands. H. R. 15018. A bill validating certain applications for, and entries of public lands; with amendment (Rept. No. 1668). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Military Affairs. H. R. 12797. A bill to authorize the sale of the Buckeye Target Range, Ariz.; without amendment (Rept. No. 1669). Referred to the Committee of the Whole House on the state of the Union.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 15010. A bill granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct a bridge across Cumberland River; with amendment (Rept. No. 1670). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 15011. A bill granting the consent of Congress to the Paragould-Hopkins Bridge road improvement district of Greene County, Ark., to construct a bridge across the St. Francis River; with amendment (Rept. No. 1671). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 15012. A bill to amend the act entitled "An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri," approved February 13, 1924; with amendment (Rept. No. 1672). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15014. A bill granting the consent of Congress to the city of Quincy, State of Illinois, its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River; with amendment (Rept. No. 1673). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 15017. A bill granting the consent of Congress to the St. Louis-San Francisco Railway Co. to construct, maintain, and operate a railroad bridge across the Warrior River at or near Demopolis, Ala.; with amendment (Rept. No. 1674). Referred to the House Calendar.

Mr. PHILLIPS: Committee on Interstate and Foreign Commerce. H. R. 15130. A bill granting the consent of Congress to the Tacony-Palmyra Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Delaware River; with amendment (Rept. No. 1675). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 15282. A bill granting the consent of Congress to the commissioners of Fayette and Washington Counties, Pa., to reconstruct the bridge across the Monongahela River at Belle Vernon, Fayette County, Pa.; with amendment (Rept. No. 1676). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15424. A bill to legalize a bridge across the Fox River in Algonquin Township, McHenry County, Ill., and for other purposes; with amendment (Rept. No. 1677). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 15472. A bill to revive and reenact an act entitled "An act granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.) to construct a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va.," with amendment (Rept. No. 1678). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 15530. A bill to extend the time for the construction of a bridge across Red River at Fulton, Ark.; with-

out amendment (Rept. No. 1679). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 15544. A bill granting the consent of Congress to the Minneapolis, Northfield & Southern Railway, a corporation organized under the laws of the State of South Dakota, to construct, maintain, and operate a railroad bridge across the Minnesota River in the State of Minnesota; with amendment (Rept. No. 1680). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 15900) to authorize alterations and repairs to certain naval vessels; to the Committee on Naval Affairs.

By Mr. JOHNSON of Texas: A bill (H. R. 15901) to amend section 607 of the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: A bill (H. R. 15902) to authorize and direct the Secretary of War to grant a perpetual easement for public-highway purposes over and upon a portion of Vancouver Military Reservation, in the State of Washington; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 15903) granting to the State of Oklahoma certain lands as is provided for in the act of July 2, 1862, and July 23, 1866, relating to land grants made to new States for the support of their educational institutions; to the Committee on the Public Lands.

Also, a bill (H. R. 15904) to amend section 205 of the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. COLLIER: A bill (H. R. 15905) to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. HAYDEN: A bill (H. R. 15906) to authorize the purchase of land for an addition to the United States Indian School Farm, near Phoenix, Ariz.; to the Committee on Indian Affairs.

By Mr. McKEOWN: A bill (H. R. 15907) to provide for the establishment in the State of Oklahoma of a subsidiary fish-cultural station to the Neosho, Mo., fisheries station to be under the direction of the Bureau of Fisheries of the Department of Commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. PARKER: A bill (H. R. 15908) to make a survey of the Saratoga battle field and to provide for the compilation and preservation of data showing the various positions and movements of troops at that battle, illustrated by diagrams, and for other purposes; to the Committee on Military Affairs.

By Mr. UNDERHILL: A bill (H. R. 15909) granting authority to the Secretary of Commerce to regulate radio communications; to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVILA: A bill (H. R. 15910) to amend the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. VAILE: A bill (H. R. 15911) authorizing the adjustment of the boundaries of the Arapaho National Forest, and for other purposes; to the Committee on the Public Lands.

By Mr. WILLIAMSON: A bill (H. R. 15912) to amend section 215 of the Criminal Code; to the Committee on the Judiciary.

By Mr. ROMJUE: A bill (H. R. 15913) granting relief to veterans of the World War; to the Committee on Ways and Means.

By Mr. OLDFIELD: A bill (H. R. 15914) granting relief to veterans of the World War; to the Committee on Ways and Means.

By Mr. WILSON of Mississippi: Joint resolution (H. J. Res. 325) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DEMPSEY: Resolution (H. Res. 359) that the bill H. R. 11616, with the amendments of the Senate thereto, be taken from the Speaker's table; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 15915) granting an increase of pension to Mary Fry; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 15916) to authorize Rear Admiral Albert P. Niblack, United States Navy, retired, to ac-

cept certain decorations from the principality of Monaco and from the Kingdom of Denmark; to the Committee on Naval Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 15917) granting an increase of pension to Delilah R. Mann; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 15918) granting an increase of pension to Mary Stafford; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 15919) granting a pension to Edward McConville; to the Committee on Pensions.

By Mr. FENN: A bill (H. R. 15920) granting an increase of pension to Anna M. Williams; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 15921) granting an increase of pension to Aurelia Gauthier; to the Committee on Invalid Pensions.

By Mr. FREDERICKS: A bill (H. R. 15922) for the relief of Mary Gordon Rodes and Sara Louise Rodes, heirs at law to Tyree Rodes, deceased; to the Committee on Claims.

By Mr. HAYDEN: A bill (H. R. 15923) granting an increase of pension to Walker Anderson; to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 15924) granting an increase of pension to Magdalene Hartman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15925) granting an increase of pension to Annie L. Shaffstall; to the Committee on Invalid Pensions.

By Mr. MORTON D. HULL: A bill (H. R. 15926) granting a pension to Elizabeth Coarding; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 15927) granting an increase of pension to Mary E. Lindley; to the Committee on Invalid Pensions.

By Mr. MAJOR: A bill (H. R. 15928) to authorize certain officers of the United States Navy to accept from the Republic of Peru decoration and diploma of the Order of the Sun and from the Republic of Ecuador decoration and diploma of the Estralla Abden Calderon; to the Committee on Naval Affairs.

By Mr. MOORE of Kentucky: A bill (H. R. 15929) granting a pension to Rosaline Coots; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 15930) granting an increase of pension to Mary Nicholson; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 15931) for the relief of John E. Dolan; to the Committee on the Post Office and Post Roads.

By Mr. REID of Illinois: A bill (H. R. 15932) granting a pension to Mary E. Gaines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15933) granting an increase of pension to Roy E. Knight; to the Committee on Pensions.

Also, a bill (H. R. 15934) granting a pension to Ettie H. Hauptman; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 15935) granting a pension to Rupert O. Smith; to the Committee on Pensions.

Also, a bill (H. R. 15936) granting an increase of pension to Ollie Rodgers; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 15937) granting an increase of pension to Sara R. Brewster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15938) granting an increase of pension to Sarah E. Carrigan; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15939) for the relief of Carl L. Estes; to the Committee on Claims.

By Mr. SANDLIN: A bill (H. R. 15940) granting an increase of pension to Martha Bosley; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 15941) granting an increase of pension to Sarah Evland; to the Committee on Invalid Pensions.

By Mr. SWARTZ: A bill (H. R. 15942) for the relief of Charles W. Buck; to the Committee on Naval Affairs.

By Mr. SWEET: A bill (H. R. 15943) granting an increase of pension to Mary M. Clobridge; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 15944) granting an increase of pension to Malissa J. McCombs; to the Committee on Invalid Pensions.

By Mr. UPDIKE: A bill (H. R. 15945) for the relief of Wellington Johnson; to the Committee on War Claims.

By Mr. UPSHAW: A bill (H. R. 15946) to remove the charge of desertion and grant an honorable discharge to Marion M. Clark; to the Committee on Military Affairs.

By Mr. VAILE: A bill (H. R. 15947) granting an increase of pension to Anna E. Babbitt; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 15948) granting an increase of pension to Ellen Harbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15949) granting an increase of pension to Mary E. Stimmel; to the Committee on Invalid Pensions.

By Mr. YATES: A bill (H. R. 15950) granting an increase of pension to Ellen Everts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15951) granting an increase of pension to Julia E. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15952) granting an increase of pension to Ella L. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15953) granting an increase of pension to Mary C. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15954) granting an increase of pension to Eliza A. Marks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15955) granting an increase of pension to Madona N. Kingston; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15956) granting an increase of pension to Virginia Morris; to the Committee on Invalid Pensions.

By Mr. ABERNETHY: A bill (H. R. 15957) granting a pension to Nancy Elizabeth Paul; to the Committee on Pensions.

Also, a bill (H. R. 15958) granting a pension to Ada Daniels Simpson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4449. By Mr. ENGLEBRIGHT: Petition of California Economic Research Council, asking for appropriation for Bureau of Soils so as to bring work in arrears up to date; to the Committee on Appropriations.

4450. Also, petition of Mrs. M. F. Hollenbeak and 106 citizens of the community of Fall River Mills, Calif., protesting against the compulsory Sunday observance, as proposed in House bills 10311, 1023, 7179, and 7822; to the Committee on the District of Columbia.

4451. Also, petition of Improved Order of Red Men of the Reservation of California, condemning action of Congress on the recent urgent deficiency appropriation act of Congress including an item of \$100,000 for the construction of a bridge across the Colorado River at Lees Ferry, Ariz., which was to be reimbursed out of the Navajo tribal fund; to the Committee on Appropriations.

4452. Also, petition of board of directors of the San Francisco Chamber of Commerce, urging that the Swing-Johnson bill should be passed at the present session of Congress; to the Committee on Irrigation and Reclamation.

4453. By Mr. GALLIVAN: Petition of J. F. McEvoy, 39 Harvest Street, Dorchester, Mass., urging the enactment of prompt legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4454. By Mr. GARBER: Petition of the American Silver Producers' Association, urging enactment of Senate bill 756; to the Committee on Banking and Currency.

4455. By Mr. JOHNSON of Washington: Petition of Mrs. C. Myers and 24 other citizens of Winlock, Wash., urging that compulsory Sunday observance legislation be not passed; to the Committee on the District of Columbia.

4456. By Mrs. KAHN: Petition by the San Francisco Labor Council, urging that all contracts calling for the expenditure of public moneys contain a clause stipulating the employment of American citizens in the execution thereof; to the Committee on Labor.

4457. By Mr. MOONEY: Petition of sundry citizens of Cleveland, protesting House bill 10311, to secure Sunday as a day of rest in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

4458. By Mr. O'CONNELL of New York: Petition of the Great Lakes Harbors Association, in convention assembled at Buffalo, N. Y., November 16 and 17, 1926, protesting against any legislation that may sanction, or tend to sanction, the diversion or abstraction of waters likely to lower the levels of the Great Lakes; to the Committee on Rivers and Harbors.

4459. Also, petition of the International Association of Garment Manufacturers of New York, favoring the passage of the Cooper bill (H. R. 8653); to the Committee on Labor.

4460. Also, petition of the Eastern Broom Manufacturers & Supply Dealers Association of Pennsylvania, favoring the passage of House bill 8653, the Cooper bill; to the Committee on Labor.

4461. Also, petition of the First National Bank of Brooklyn, N. Y., in favor of the McFadden bill without the Hull amendment; to the Committee on Banking and Currency.

4462. By Mr. SHALLENBERGER: Petition of Katherine Hornbacher and others, requesting the defeat of House bills 10311, 10123, 7179, and 7822; to the Committee on the District of Columbia.

4463. Also, petition of T. J. Birchall and others, requesting Congress not to pass House bills 10311, 10123, 7179, and 7822; to the Committee on the District of Columbia.

4464. By Mr. STRONG of Pennsylvania: Petition of citizens of Kittanning, Pa., in favor of legislation to increase the rates of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4465. By Mr. THOMPSON: Petition of citizens of Paulding County, Ohio, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

4466. By Mr. TILSON: Petition of Robert W. Brown and other residents of New Haven, Conn., urging the enactment of legislation providing for the defense of the United States against attack from the air; to the Committee on Military Affairs.

SENATE

THURSDAY, January 6, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our heavenly Father, Thou has been very gracious unto us in Thy dealings day after day, granting unto us added opportunities for notable service in connection with the world's work and with our own home life and obligations. Guide us this day so that whatever may be done or said may be agreeable to Thy mind and will. Lead us always. We ask in Jesus Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SETTLEMENT OF SHIPPING BOARD CLAIMS

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, pursuant to law, a report of claims arbitrated or settled by agreement from October 16, 1925, to October 15, 1926, by the United States Shipping Board, and/or United States Shipping Board Emergency Fleet Corporation, which, with the accompanying report, was referred to the Committee on Commerce.

PEDESTAL FOR ALBERT GALLATIN STATUE

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 113) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C., which were, on page 1, line 10, after the word "Commission," to insert "subject to the approval of the Joint Committee on the Library"; and on page 2, line 1, after the word "Commission" to insert "and by the Joint Committee on the Library."

Mr. WALSH of Montana. I move that the Senate concur in the House amendments.

The motion was agreed to.

INTERIOR DEPARTMENT APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes, and receding from its disagreement to the amendment of the Senate No. 37 and concurring therein with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$150,000, of which sum not less than \$2,200 shall be used for normal instruction;

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, including \$17,600 for payment to Freedmen's Hospital for heat and light, \$68,000;